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ACTS AND JOINT RESOLUTIONS

OF THE

GENERAL ASSEMBLY

OF THE

STATE OF SOUTH CAROLINA,

PASSED AT THE

REGULAR SESSION OF 1885.

PRINTED BY ORDER OF THE GENERAL ASSEMBLY, AND DESIGNED TO
FORM A PART OF THE NINETEENTH VOLUME OF THE
STATUTES AT LARGE, COMMENCING WITH THE
ACTS OF THE REGULAR SESSION OF 1885.

COLUMBIA, S. C.
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OF
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ACTS OF THE GENERAL ASSEMBLY

OF THE

STATE OF SOUTH CAROLINA,

Passed at the Regular Session which was begun and held at the City of Columbia on the Twenty-Fourth Day of November, A. D. 1885, and was adjourned without Day on the Twenty-Fourth Day of December, A. D. 1885.

HUGH S. THOMPSON, Governor. JOHN C. SHEPPARD, Lieutenant Governor and *ex officio* President of the Senate. JAMES SIMONS, Speaker of the House of Representatives. T. STOBO FARROW, Clerk of the Senate. JOHN T. SLOAN, Clerk of the House of Representatives.

AN ACT TO REFUND CERTAIN AMOUNTS TO THE PELZER MANUFACTURING COMPANY. No. 1.

SEC. 1.—To be repaid \$1,580.85 by the State Treasurer.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, that the State Treasurer be, and he is hereby, authorized and directed to pay to the Pelzer Manufacturing Company the sum of one thousand five hundred and eighty and eighty-five one-hundredth dollars out of any funds in the State Treasury not otherwise appropriated, the same being the sum fixed by the Comptroller General, and to which the said company is entitled, under the terms of their charter, for the fiscal year eighteen hundred and eighty-three-four, said payment to be made on the warrant of

To be repaid
\$1,580.85 by the
State Treasurer.

A. D. 1885.

the Comptroller General, which shall issue on the application of the said Pelzer Manufacturing Company.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 15th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

No. 2. AN ACT TO INCORPORATE THE TOWN OF WINDSOR, IN THE COUNTY OF AIKEN.

SEC. 1.—Corporators. Name. Limits. Rights.

SEC. 2.—Intendant and Wardens. Elections.

SEC. 3.—Vacancies provided for.

SEC. 4.—Police and other powers. Council meetings.

SEC. 5.—Power and limit of taxation.

SEC. 6.—Repealing clause.

SEC. 7.—Public Act until repealed.

Corporators.

Name.

Limits.

Rights.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all citizens of this State, who have resided twelve months within the State and sixty days in the Town of Windsor, shall be deemed, and are hereby declared to be, a body politic and corporate, and shall hereafter be called and be known by the name of Windsor; and the corporate limits of the Town of Windsor shall be, and are hereby declared to be, one-half mile in each direction from the Windsor Depot, on the S. C. Railroad. The said town shall have a common seal; may sue and be sued, implead and be impleaded, in any Court of law or equity in this State; and may purchase, hold, possess and enjoy, in perpetuity or for any term of years, any estate, real, personal or mixed.

Intendant and
Wardens.

SEC. 2. That said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States and

shall have been voters in the said town for sixty days immediately preceding their election, and who shall be elected by the qualified voters of the said town on the first Wednesday in March, 1886, and every year thereafter on the first Wednesday in March, ten days' public notice thereof being previously given; and that all qualified electors, who are citizens of this State, and who shall have resided in said town for sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens. For the purpose of holding the first election under this Act, the Clerk of the Court of Common Pleas of Aiken County shall designate three suitable persons in said town to act as Managers of Election, and that thereafter the Intendant and Wardens for the time being shall annually appoint Managers to conduct each ensuing election. That the polls for said election shall be opened at 10 o'clock in the forenoon and closed at 4 o'clock in the afternoon, and the Managers of Election shall immediately thereafter count the ballots and declare the election.

A. D. 1885.

Elections.

SEC. 3. That in case a vacancy should occur in the office of Intendant or any of the Wardens by death, resignation or removal from the State or town, or from any other cause, an election shall be held by the appointment of the Intendant and Warden, or Wardens, as the case may be, ten days' notice as aforesaid being given; and in case of sickness or temporary absence of the Intendant, the Wardens forming a Council shall be empowered to elect one of their number to act as Intendant during such sickness or absence.

Vacancies.

SEC. 4. That the Town Council of Windsor be, and they are hereby, authorized to appoint a Marshal or police force for the better security and regulation of the said town, and to pass such ordinances as they may deem expedient to define the duties, fix the compensation and impose fines and penalties for neglect of duties of said Marshal or police force, and generally to perform all acts necessary to effectuate the intention of this Act, and make and establish all rules and orders relative to said Marshal or police force not inconsistent with the laws of the State. That the Intendant, duly elected and qualified, shall, during his term of office, be vested with all the powers of Trial Justices in this State in all matters touching the violation of any ordinance or ordinances of the said town; and that the Intendant shall, as often as occasion may require, summon the Wardens to meet in Council, a majority of whom shall constitute a quorum for the transaction of busi-

Police.

Intendant to
have powers of
a Trial Justice.

Town Council.

A. D. 1885.

Marshals.

Powers.

Taxes.

Repealing
clause.

Public Act.

ness, and shall be known by the name of the Town Council of Windsor; and they and their successors in office shall have power to appoint, from time to time, such persons to act as Marshals or Constables as they shall deem expedient, which officers shall have all the powers and privileges, and be subject to all the penalties and regulations, provided by law for Constables in this State; and the Intendant and Wardens in Council shall have power and authority, under their corporate seal, to ordain and establish all such rules and by-laws and ordinances respecting streets, ways, public wells and springs, markets and police of said Town of Windsor, and for preserving peace, health and order and good government within the same, as they may deem expedient and proper, not inconsistent with or repugnant to the laws of the State; and such by-laws and ordinances shall at all times be subject to revisal or repeal by the General Assembly of this State; and the said Council may affix fines for offenses against such by-laws and ordinances, and appropriate the same to the use of said corporation; but no fines shall exceed thirty dollars, and the same to be collected as fines and penalties in Trial Justices' Courts.

SEC. 5. That the said Council shall have the power to impose an annual tax on all the real and personal property within the corporate limits of said town: *Provided*, Said tax does not exceed fifty cents on the one hundred dollars.

SEC. 6. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

SEC. 7. That this Act shall be deemed a public Act in all Courts of justice, and shall continue of force until repealed.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 15th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

OF SOUTH CAROLINA.

5

AN ACT TO ENABLE R. K. DARGAN TO APPLY FOR ADMISSION TO THE BAR.

A. D. 1885.

No. 3.

SEC. 1.—Right to apply and be admitted.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That R. K. Dargan, a minor, under the age of twenty-one, be, and he is hereby, permitted to apply for admission to the Bar forthwith upon the passage of this Act, and, if qualified, he shall be admitted to all the privileges granted by the Statutes of said State to persons applying for admission, and admitted to practice as attorneys at law.

Right to apply and be admitted.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 15th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE HIBERNIAN MUTUAL INSURANCE COMPANY, OF CHARLESTON," APPROVED 23D DECEMBER, A. D. 1884, AS TO THE NUMBER OF DIRECTORS.

No. 4.

SEC. 1. Section 4 of charter amended as to number of Directors.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 4 of an Act entitled "An Act to incorporate the Hibernian Mutual Insurance Company, of Charleston," approved 23d December, A. D. 1884, be, and the same is hereby, amended by striking out of said Section, on the 18th line thereof, the word

Sect. 4 of A.
A. 1884, 18 Stat.
726, amended.

A. D. 1885. "ten" and inserting instead thereof the word "twelve." So that, when amended, the said Section shall read as follows :

Section 4 as amended.

Rights and powers.

Board of Directors.

SECTION 4. That the said company, under its name, shall have succession of officers and members, and all the powers, privileges and franchises incident to a corporation, and shall be capable of taking, holding and disposing of their capital stock according to such rules, regulations and institutions as they may from time to time establish ; and also of taking, holding and disposing of or investing, as the said corporation shall from time to time judge fit, the increase, profit or emoluments of their said capital stock to their own use ; and shall have full power and authority to make, have and use a common seal, and the same to break, alter or renew at their will ; and by the name, style and title as aforesaid shall be able and capable, at law and in equity, to sue and be sued, implead and be impleaded, answer and be answered unto, in all and any of the Courts and tribunals of this State, in all manner of suits, pleas and demands whatsoever ; and they are hereby authorized and empowered to appoint a Board of Directors, to consist of a President, a Secretary and Treasurer and twelve Directors, at such periods, and with such duties, as they shall see fit, and also to make rules, by-laws and ordinances, and do everything needful for the good government and support of the affairs of the said corporation, and for restoring their capital when diminished by losses : *Provided, always*, That the said rules, by-laws and ordinances shall not be repugnant to the Constitution and laws of the State.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.

JAMES SIMONS,
Speaker House of Representatives.

Approved December 15th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

OF SOUTH CAROLINA.

7

AN ACT TO AMEND THE LAW AS TO THE SALE OF REAL
ESTATE ADJUDGED TO BE SOLD.

A. D. 1886.

No. 5.

SEC. 1.—Permitting Masters' Sales in any County by consent.

SEC. 2.—Confirming former sales.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That whenever real estate is adjudged to be sold by a Master, such sale may take place by consent of the parties to the cause, or their attorneys, or, when infants are parties, by the consent of the guardians *ad litem* of such infants, or their attorneys, in any County which the Court may direct.

Master's sales
may be in any
County by con-
sent.

SEC. 2. That all such sales heretofore made, and otherwise valid, are hereby confirmed.

Former sales
confirmed.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 15th, A. D. 1884.

HUGH S. THOMPSON,
Governor.

AN ACT TO AUTHORIZE HUME BROTHERS AND COMPANY, LIMITED, TO MAINTAIN A WHARF ON BATTERY RIVER, IN BEAUFORT COUNTY. No. 6.

SEC. 1.—To maintain wharf and charge wharfage.

SEC. 2.—To continue of force for 31 years.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Hume Brothers and Company, Limited, be, and they are hereby, authorized to maintain the wharf constructed by them to deep water in front of their works on Battery River, in Beaufort County, and to charge and collect wharfage, layage and storage.

To maintain
wharf to deep
water.

And to charge
wharfage, &c.

A. D. 1885.
 To continue
 for 31 years.

SEC. 2. That the franchise hereby granted shall vest in Hume Brothers and Company, Limited, their successors and assigns, for thirty-one years.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
 President of the Senate.
 JAMES SIMONS,
 Speaker House of Representatives.

Approved December 15th, A. D. 1885.

HUGH S. THOMPSON,
 Governor.

No. 7. AN ACT TO INCORPORATE THE CHICORA SAVINGS BANK, OF PELZER, SOUTH CAROLINA.

- SEC. 1.—Corporators and name.
- SEC. 2.—Amount of capital stock.
- SEC. 3.—Rights and powers.
- SEC. 4.—Officers and agents. By-laws.
- SEC. 5.—Voting by stockholders.
- SEC. 6.—Capital stock to be personal property. Issue and transfer of stock.
- SEC. 7.—Rights of corporation against its members.
- SEC. 8.—Liability of stockholders and Directors.
- SEC. 9.—Deposits by married women and minors.
- SEC. 10.—Term of charter.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Corporators. Francis J. Pelzer, Ellison A. Smythe, William B. Smith, William A. Courtenay and Augustine T. Smythe, together with such other persons as now are or shall hereafter be associated with them, shall be, and they are hereby constituted and made, a body corporate and politic, under and by the name of the

Name. Chicora Savings Bank, of Pelzer, South Carolina.

SEC. 2. The parties aforesaid shall have the power to raise by subscription a capital for the said corporation of twenty-five thousand dollars, (\$25,000,) in two hundred and fifty (250) shares of one hundred (\$100) each: *Provided, however,* That a majority of the Board of Directors of the said corporation

shall have the power of increasing the said capital stock to any extent not exceeding two hundred and fifty thousand dollars (\$250,000) whenever they deem proper so to do; and the said corporation shall by its by-laws provide for the manner of raising and distributing such additional capital stock.

A. D. 1885.

SEC. 3. The said corporation shall have power to receive money on deposit, to allow interest thereon, and to invest such deposits, their capital stock and other funds, in banks or other stocks, in bonds, notes, bills, choses in action and other securities, and in the bonds or stocks of this or any other State, or of the United States; to buy and sell gold and silver, and any and all kinds of bonds, notes, bills, securities, choses in action and other property; to lend money on real estate, secured by mortgage or otherwise, on the pledge of gold or silver, bonds, notes, bills, stocks, choses in action, and securities of all or any kinds. And the said corporation shall have power and authority to use and keep a common seal, and the same to alter at will; to sue and be sued, to plead and be impleaded, in any Court in this State, and to have and enjoy all and every right, privilege, power and franchise incident to incorporated bodies; and shall be capable of taking, holding and disposing of their capital stock and all other property, of every kind, according to such rules and regulations as they may from time to time establish, and also of taking, holding, dividing, disposing of or investing the increase, profits or emoluments of their said capital stock or other property as aforesaid; and shall have the right and power to acquire, purchase, take and hold, in their corporate name, lands and real estate and personal property, and the same to grant, sell, exchange and convey in fee simple or otherwise.

Rights and powers.

SEC. 4. The corporation shall have such officers as shall be fixed by the by-laws, and other agents and employees as may from time to time be deemed necessary by the corporation; the said officers, agents and employees to be selected and chosen at such time, in such manner and for such terms of office, and to be entitled to receive such compensation, as shall be fixed and established by the rules and by-laws of the corporation; and any of said officers, agents and employees may be required to give such security for the faithful performance of their respective duties as shall be fixed by the said rules and by-laws. The stockholders shall have power and authority to make rules and by-laws, not repugnant to the laws of the land, and to modify

Officers and agents.

By-laws.

A. D. 1885.

and amend the same in such manner as they see fit. The business and property of the said corporation shall be managed and disposed of, and dividends of the profits of the business of the corporation shall be made and declared, in such manner as may be prescribed and regulated by said rules and by-laws.

Votes of
stockholders.

SEC. 5. Each stockholder shall have one vote for each share of the capital stock of the said corporation he may own or represent at all elections and all meetings of the company; and the said corporation shall have authority in its by-laws to make such regulations as may be deemed proper for the representation by proxy of such stockholders as may be absent at such elections and meetings.

Capital stock
to be personal
property.

SEC. 6. The capital stock of the said corporation shall be deemed personal property; and the said corporation shall have authority in its by-laws to make all such regulations as may be deemed necessary and proper for the issuing and transfer of such stock, or for collecting and enforcing by sale or otherwise all subscriptions made thereto.

Issue and
transfer of
stock.

Rights of
corporation
against its
members.

SEC. 7. The said corporation shall have full power to enforce upon their members the due observance of all rules and by-laws for the good government and management of the affairs of the said corporation; and to this end, if need be, shall and may institute and maintain, in their corporate name, against any one or more of their members, all necessary suits, actions and pleas, for the recovery of any sum or sums of money to the use of the said corporation, in as ample a manner as such suits might be maintained against persons not members of said corporation.

Liability of
stockholders.

SEC. 8. The stockholders of said corporation shall be liable to the amount of their respective share or shares in the same for all its debts and liabilities upon note, bill, or otherwise; and no

Of Directors.

Director or other officer of said corporation shall borrow any money from said corporation; and if any Director or other officer shall be convicted, on indictment, of directly or indirectly violating this Section, he shall be punished by fine or imprisonment, at the discretion of the Court.

Deposits by
married wo-
men and mi-
nors.

SEC. 9. When any deposit is made by a person being a married woman or a minor, the said corporation may pay to such person such sum or sums so deposited on the check, order or receipt of such depositor, which said check, order or receipt shall be a lawful discharge therefor.

SEC. 10. That this Act shall be deemed and taken as a public Act, and shall continue in force for the term of thirty (30) years, and until the final adjournment of the General Assembly meeting next thereafter. A. D. 1885.
Term of char-
ter.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 15th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO CHANGE THE TIME OF HOLDING THE SUMMER TERM OF THE COURT OF GENERAL SESSIONS IN BARNWELL COUNTY. No. 8.

SEC. 1.—To be held second Monday in July.

SEC. 2.—Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Summer Term of the Court of General Sessions in and for the County of Barnwell shall be held on the second Monday in July. To be held
2d Monday in
July.

SEC. 2. That so much of all Acts or parts of Acts as is inconsistent with this Act be, and hereby is, repealed. Repealing
clause.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 15th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.

No. 9.

AN ACT TO CHANGE THE NAME OF ANNA MORRIS TO THAT OF LOUISE PARROTT, AND TO ENABLE HER TO INHERIT FROM A. W. PARROTT AND WIFE, JULIA.

SEC. 1.—Name changed.

SEC. 2.—Entitled to rights of inheritance.

Name
changed.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of Anna Morris, of Darlington County, be, and the same hereby is, changed to the name of Louise Parrott.

Entitled to
rights of in-
heritance.

SEC. 2. That the said Louise Parrott be entitled to inherit as a lawful heir from A. W. Parrott and his wife, Julia Parrott, or either of them, dying intestate.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 15th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

No. 10. AN ACT TO AMEND SECTION NINE HUNDRED AND NINETY-SEVEN (997) AND ONE THOUSAND AND FIVE (1005) OF THE GENERAL STATUTES, RELATING TO THE EXAMINATION OF TEACHERS.

SEC. 1.—Amending General Statutes, § 997, as to Examinations by State Board of Examiners.

SEC. 2.—Amending General Statutes, § 1005, as to Examinations by County Board of Examiners.

Gen. Stat. § 997
amended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section nine hundred and ninety-seven (997) of the General Statutes be, and the same is hereby, amended so that the said paragraph, as amended, shall read as follows :

SECTION 997. The State Board of Examiners shall, during the first week in May and the first week in September of each year, and at such other times as may be necessary, examine all persons who may make application as to their qualification for teaching a school in this State; and to every person of good moral character who passes a satisfactory examination the Board shall issue a certificate of qualification, to be signed by its Chairman, which certificate shall authorize the person to whom it is given to teach in any of the free public schools of this State in which his or her services may be desired by the Trustees of the school in which he or she may make application to teach, without further evidence of qualification. Said certificates shall be valid for a term of two (2) years, unless sooner revoked, and it may be renewed with or without examination, at the discretion of the State Board of Examiners. Notice of the meetings provided for in this Section shall be given in at least two daily newspapers published in this State: *Provided*, That no examination as to qualification shall be made in the case of any applicant who produces a diploma from any chartered college or university in this State certifying to the proficiency of such persons in the branches of learning referred to in his application and satisfactory evidence of good moral character.

A. D. 1885.
Section 997 as amended.
Examinations by State Board of Examiners.

Certificates.

Term of.

Notice of meetings.

College graduates not to be examined.

SEC. 2. That Section one thousand and five (1005) of the General Statutes be amended so as to read as follows:

Gen. Stat. §1005 amended.

SECTION 1005. There shall be in each County a Board of Examiners, composed of the County School Commissioners and two other persons, to be appointed by the State Board of Examiners, who shall hold office for the term of two years from the time of their appointment and until their successors shall be qualified, unless sooner removed by the State Board of Examiners. No person shall be appointed a member of the County Board of Examiners who is not competent to teach a first grade school. The County Board of Examiners shall examine all candidates for the profession of teacher, and give to each person found qualified a certificate setting forth the branches of learning he or she may be capable of teaching. Said certificate to be valid for a term of two years, unless sooner revoked, and it may be renewed with or without examination, at the discretion of the said Board of Examiners. No teacher shall be employed in any of the free public schools without a certificate from the County Board of Examiners or the State Board of Examiners: *Provided*, That no examination as to qualification shall be made

Section 1005 as amended.
County Board of Examiners.

Examinations by.

Certificates.

Term of.

A. D. 1885.
 College graduates not to be examined.

in the case of any applicant who produces a diploma from any chartered college or university in this State, certifying to the proficiency of such person in the branches of learning referred to in his application and satisfactory evidence of good moral character.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
 President of Senate.
 JAMES SIMONS,
 Speaker House of Representatives.

Approved December 15th, A. D. 1885.

HUGH S. THOMPSON,
 Governor.

No. 11. AN ACT TO INCORPORATE THE TOWN OF WATERLOO, IN THE COUNTY OF LAURENS.

SEC. 1.—Corporators. Limits of the town.

SEC. 2.—Intendant and Wardens. Electors.

SEC. 3.—Elections provided for.

SEC. 4.—No power to grant license for sale of liquor.

SEC. 5.—To have the same charter rights as the Town of Ninety-Six.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Corporators. from and after the approval of this Act, all citizens of the United States who have resided one year in this State, and sixty days in the Town of Waterloo, in Laurens County, shall be deemed, and are hereby declared, a body politic and corporate, and its corporate

Limits. limits shall extend one-half of one mile in every direction from the Northeast corner of the present depot of the Greenwood, Laurens and Spartanburg Railroad.

Intendant and Wardens.

SEC. 2. That said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and of this State, and shall have been residents of the said town sixty days immediately preceding the election, and who shall be elected by the qualified voters of said town on Tuesday after the

first Monday in March, ten days' public notice being previously given thereof, and every year thereafter; and that all male inhabitants of the age of twenty-one years, citizens of the United States, who shall have resided twelve months in this State, and in said town for sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens.

A. D. 1885.

Electors.

SEC. 3. That for the purpose of holding the first election under this Act, the Clerk of the Circuit Court of Laurens County shall designate three suitable persons, citizens of said town, to act as Managers of the Election; and the election shall be held from eight in the morning until five o'clock in the evening, when the poll shall be closed, when the votes shall be counted and the Managers shall proclaim the result and notify the persons elected; and the Intendant and Wardens for the time being shall annually appoint Managers to conduct ensuing election.

First election.

Ensuing elections.

SEC. 4. That the Town Council of said Town of Waterloo shall not have power to grant license for the sale of any ardent spirits or intoxicating liquors within the corporate limits of said town, and it shall not be lawful for the County Commissioners of Laurens County to issue any licenses for that purpose, either within two miles of the corporate limits thereof, or in the corporate limits of said town.

No power to grant license.

SEC. 5. That the said corporation shall have the same powers and privileges, and be subject in every respect to the provisions, of the charter granted to the Town of Ninety-Six by an Act entitled "An Act to incorporate the Town of Ninety-Six," approved March 13th, 1872, except as above provided.

The powers, privileges, &c., of Ninety-Six.

15 Stat. 242.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.

JAMES SIMONS,
Speaker House of Representatives.

Approved December 15th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.

No. 12.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AUTHORIZE THE TOWN COUNCIL OF GEORGETOWN TO ESTABLISH A SYSTEM FOR THE REGISTRATION OF BIRTHS, DEATHS AND MARRIAGES WITHIN THE CORPORATE LIMITS OF SAID TOWN."

SEC. 1.—Registration of births, &c., regulated by amended Section.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Section 1
amended.

18 Stat. 329.

Section 1 as
amended.

Registration
provided for.

Expenses of.

Section one (1) of an Act entitled "An Act to authorize the Town Council of Georgetown to establish a system for the registration of births, deaths and marriages within the corporate limits of said town," approved December 21st, A. D. 1883, be, and the same hereby is, amended, by striking out all after the enacting words contained in said Section, and inserting the following in lieu thereof, to wit: That from and after the passage of this Act the Town Council of Georgetown shall be, and they are hereby, authorized and empowered to establish a system for the registration of births, deaths and marriages within the corporate limits of said town, and to pass all such ordinances as may be necessary to enforce the same: *Provided*, That the entire expenses connected with such registration shall not exceed the sum of fifty dollars.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 15th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

AN ACT TO INCORPORATE THE TOWN OF MODOC, IN THE
COUNTY OF EDGEFIELD.

A. D. 1885.

No. 13.

SEC. 1.—Corporators. Limits of the town.

SEC. 2.—Intendant and Wardens, when elected and by whom.

SEC. 3.—Ordering elections and declaring result.

SEC. 4.—To have the same charter rights as Town of Ninety-Six.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all citizens of the United States who have resided one year in this State and sixty days in the Town of Modoc shall be deemed, and hereby declared, a body politic and corporate, and its corporate limits shall extend one-half of one mile in every direction from the present depot of the Augusta and Knoxville Railroad.

Corporators.

Limits.

SEC. 2. That said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States and of this State, and shall have been residents of the said town for sixty days immediately preceding the election, and who shall be elected by the qualified voters of said town on Tuesday after the first Monday in February next, and on the same day in February in every year thereafter, ten days' public notice thereof being previously given; and that all male inhabitants of the age of twenty-one years, citizens of the United States, who shall have resided twelve months in this State, and in said town for sixty days next preceding the election, shall be entitled to vote for the said Intendant and Wardens.

Intendant and Wardens.

Time of election.

Voters.

SEC. 3. That for the purpose of holding the first election under this Act the Clerk of the Court of Common Pleas and General Sessions for Edgefield County shall, in writing, designate three suitable persons, citizens of said town, to act as Managers of the election; and the election shall be held from nine o'clock in the morning until three o'clock in the afternoon, when the polls shall be closed and the votes counted. The Managers shall forthwith proclaim the result and notify the persons elected; and the Intendant and Wardens for the time being shall annually appoint Managers to conduct the ensuing election.

First election.

Ensuing elections.

SEC. 4. That the said corporation shall have the same powers and privileges, and be subject to the provisions, of the charter

Same powers, privileges, &c., as Ninety-Six.

A. D. 1885.

15 Stat. 242.

granted to the Town of Ninety-Six by an Act entitled "An Act to incorporate the Town of Ninety-Six," approved March 13, 1872.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 15th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

No. 14. AN ACT TO AUTHORIZE THE CITY OF GREENVILLE TO ISSUE COUPON BONDS TO FUND THE FLOATING INDEBTEDNESS OF SAID CITY.

Sec. 1.—Authorizes issue of \$10,000 in six per cent. bonds.

May issue
\$10,000 in six
per cent. bonds
of \$500 each.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the City of Greenville, through its properly constituted authorities, be, and is hereby, authorized and empowered to issue bonds or stock of said city to an amount not exceeding ten thousand dollars, to become due and payable twenty years from the first day of January, 1886, and to bear interest at the rate of six per centum per annum, payable semi-annually, and in denominations of five hundred dollars, for the purpose of funding the floating indebtedness of said city now outstanding.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 15th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO INCORPORATE "THE TROY COTTON SEED OIL COMPANY."

A. D. 1885.

No. 15.

SEC. 1.—Corporators. Name and purposes. Power to erect buildings.

SEC. 2.—Amount of capital stock.

SEC. 3.—Power to hold real estate and other powers.

SEC. 4.—Liability of stockholders.

SEC. 5.—Voting by stockholders.

SEC. 6.—Capital stock to be personal property. Issue and transfer of shares.

SEC. 7.—Declared a public Act for 20 years.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That R. W. Lites, T. C. Lites, G. C. Bradley, I. N. Dendy, I. T. Youngblood, W. T. Bradley, J. F. Wideman, I. S. Burnet, J. T. Solomon, W. A. Glover, W. H. Napier and their associates and successors are hereby made and created a body politic and corporate, under the name and style of "The Troy Cotton Seed Oil Company," to be located at Troy, Abbeville County, for the purpose of extracting and manufacturing oil from cotton seed or grain and refining the same, for ginning and packing cotton, and packing and compressing cotton and other heavy articles in bales, and for the purpose of carrying on such other business as may be connected therewith, of manufacturing and selling fertilizers and grinding grain, and may erect such mills, buildings, machine shops, stores, dwellings and other works as may be required or necessary to carry on such branches of manufacture and business, and also for the transaction of all business connected with the purpose so recited.

Corporators.

Name and purposes.

May erect mills, &c.

SEC. 2. The parties aforesaid and their associates shall have power to raise by subscription a capital for said corporation of not less than ten thousand dollars nor more than fifty thousand dollars, in shares of such an amount as may be fixed by the by-laws of said company.

Amount of capital stock.

SEC. 3. The said corporation may purchase and hold all such real and personal estate as may, from time to time, be required or convenient for their purposes, or such as they may be obliged or may deem it for their interest to take in settlement of any debts due to said corporation, and may dispose of the same; may sue and be sued; may have and use a common seal; may make such by-laws for the regulation and government of said corporation in any and all matters whatsoever, not inconsistent with the Constitution and laws of the United States and this State, as may be deemed necessary, and may add to, alter or amend the

May hold real estate.

Other powers.

By-laws.

A. D. 1885. same, from time to time, as may be desired, and shall have all rights, powers and privileges in law usually incident or appertaining to corporations of this kind.

Liability of stockholders. SEC. 4. Each stockholder in said corporation shall be individually liable to the creditors thereof in an amount, besides the value of his or her share therein, not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditor was made: *Provided*, That such demand shall have been payable in one year: *Provided, also*, That proceedings to hold such stockholders liable therefor shall be commenced within two years after such debt may become due and whilst he remains a stockholder therein, or within two years after he shall have ceased to be such stockholder.

Voting by stockholders. SEC. 5. Each stockholder shall have one vote for each share of the capital stock of said corporation he may own or represent at all elections or meetings of the said company, and the said corporation shall have authority in its by-laws to make such regulations as may be deemed proper for the representation by proxy of such stockholders as may be absent at such elections and meetings.

Capital stock to be personal property. SEC. 6. The capital stock of said corporation shall be deemed personal property, and the said corporation shall have authority in its by-laws to make all such regulations as may be deemed necessary and proper for the issuing and transfer of such stock, or for collecting and enforcing, by sale or otherwise, all subscriptions made thereto.

Issue and transfer of stock. SEC. 7. That this Act shall be deemed and taken as a public Act, and shall continue in force for the term of twenty years, and until the final adjournment of the General Assembly meeting next thereafter.

Public Act for 20 years.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 15th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NEW SCHOOL DISTRICT IN ANDERSON COUNTY, AND FOR THE LEVYING AND COLLECTING OF A SPECIAL SCHOOL TAX THEREIN.

A. D. 1885.

No. 16.

SEC. 1.—New School District of Slabtown and its area.

SEC. 2.—Additional tax may be voted by meeting of taxpayers.

SEC. 3.—How the school tax shall be certified and levied, by whom held, and how paid out.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a new School District is hereby established in the County of Anderson, to be known as the Slabtown School District, and shall be embraced in the following described area: Taking the Slabtown Academy as a point of departure, let four lines be run toward the cardinal points of the compass, each of said lines to the distance of two (2) miles; then let lines be drawn at right angles to the four lines above given, touching the extremity of each, and extend until they cut each other, thereby forming a square, and the area thus enclosed shall constitute the said School District.

School District established at Slabtown and the area thereof.

SEC. 2. That the voters of said School District who return real or personal property for taxation are authorized to levy and collect an annual tax not exceeding two (2) mills to supplement the Constitutional two mill tax, and for said purpose the Trustees of said School District, upon the written request of ten taxpayers of said District, shall call a public meeting of said taxpayers, at any time before the first day of June of each year, which meeting must be advertised in the County paper having the largest circulation once a week for two weeks, and by posting four notices of such meeting in the most public places in said District. When assembled the meeting of taxpayers shall have power to elect a Chairman and Secretary, adjourn from time to time, and levy a special tax for the ensuing year for such school purposes as a majority of those present shall determine, and no tax so levied shall be repealed at any subsequent meeting.

Additional tax, how voted.

SEC. 3. That within ten days after said meeting the Chairman and Secretary thereof shall furnish the Board of Trustees of said District and the County Auditor with the amount of said levy, and the Auditor shall enter the same in his tax duplicate, and the Treasurer shall collect the same as other County and State taxes, which in like manner shall be a lien upon the prop-

How certified and levied.

A. D. 1885.
 By whom held
 and how paid
 out.

erty of the respective taxpayers of the School District ; that the taxes so collected shall be held by the County Treasurer, whose bond shall be liable for any default, and paid out by him upon the warrant of the Board of Trustees for said School District, countersigned by the School Commissioner of Anderson County.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
 President of the Senate.
 JAMES SIMONS,
 Speaker House of Representatives.

Approved December 15th, A. D. 1885.

HUGH S. THOMPSON,
 Governor.

No. 17. AN ACT TO INCORPORATE "THE ORIGINAL FREE WILL BAPTIST CHURCH OF SOUTH CAROLINA."

SEC. 1.—Members, name and rights.

SEC. 2.—Powers of acquiring property and other powers.

SEC. 3.—A public Act and its duration.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Members.	from and immediately after the passage of this Act all persons who now are, or who hereafter shall or may become, members of
Name.	"The Original Free Will Baptist Church of South Carolina," shall be, and are hereby, incorporated, and are hereby declared to be a body corporate, under the name and style of "The Original Free Will Baptist Church of South Carolina," and by
And rights.	the said name shall have succession of officers and members, and have a common seal.

SEC. 2. That the said corporation shall have power to purchase, receive and possess any real or personal estate, not exceeding in value the sum of fifty thousand dollars, or to sell the same ; and by its corporate name to sue and be sued, in any

May hold
 property to
 amount of
 \$50,000.

Court of this State ; and to make such rules and by-laws (not repugnant to law) as may be thought expedient.

SEC. 3. That this Act shall be deemed a public Act, and shall continue of force until repealed.

A. D. 1885.

Other powers.
Public Act.
Limit.

In the Senate House, the fourteenth day of December, in the year of our Lord, one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 15th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO REQUIRE THE COUNTY COMMISSIONERS OF EDGEFIELD AND AIKEN COUNTIES TO OPEN AND DECLARE AS A PUBLIC HIGHWAY A CERTAIN ROAD LYING PARTLY IN BOTH COUNTIES. No. 18.

SEC. 1.—The direction, course and length of the road.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Edgefield and Aiken Counties be, and they are hereby, required, upon the passage of this Act, to open and declare as a public highway a road leading from Mrs. Georgeanna Timmerman's to McMitchell's and thence to the Aiken road, a distance of about one mile, thus connecting the old Columbia road, at Ridge Spring, with the road to Aiken.

Direction and
distance.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 15th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.

No. 19.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT FOR THE INCORPORATION OF THE TOWN OF GEORGETOWN."

SEC. 1.—Section 4 of charter, relating to Intendant and Wardens, amended.

Section 4
amended.
Stat. 227.Section 4 as
amended.Vacancy in
office of Inten-
dant or Ward-
ens provided
for.Penalty for
refusing to
serve.Penalty for
willful neglect,
&c.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 4 of an Act entitled "An Act for the incorporation of the Town of Georgetown," approved December 19, 1805, be, and the same is hereby, amended by striking out the word "five" in the eighteenth line of said Section and inserting in lieu thereof the word "three," and by inserting in the twenty-second line of said Section, between the word "shall" and the word "forfeit," the words "be imprisoned in the County Jail not less than six months nor more than one year, and shall." So that said Section, as amended, shall read as follows: "That in case of the death of the Intendant, his resignation, refusal to serve, removal from office, or absence from the State, or in case of any irregularity in or failure of the election, the Wardens shall thereupon appoint a time for choosing another, and give ten days' public notice of the same; and in case of the death, resignation, refusal to serve, removal from office, absence from the State, or irregularity in or failure of the election of any or all the Wardens, the Intendant shall give the like notice of an election for the purpose of filling such vacancy; and if any person, on being elected Intendant, shall refuse to act as such, he shall forfeit and pay to the Town Council, for the use of the said town, the sum of one hundred dollars; and if any person, on being elected Warden, shall refuse to act as such, he shall pay to the Town Council, for the use of the town, the sum of seventy-five dollars: *Provided, nevertheless,* That no person who has attained the age of sixty years shall be compelled to serve in either of the said offices, nor shall any other person be obliged to serve more than one year in any term of three years: *And provided, also,* That no person shall be reëligible to either of the said offices oftener than three successive years in any term of seven years. And in case the Intendant or any of the Wardens, while in office, shall be guilty of any willful neglect, malpractice or abuse, on information being lodged of the same in the Court of General Sessions, and on conviction thereof, he shall be imprisoned in the County Jail not less than six months nor more than one year, and shall forfeit and pay a sum not

exceeding five hundred dollars for every such willful neglect, malpractice or abuse, to be recovered by the Attorney General for the use of the said town, and his office shall thereupon be vacated. And in case of the sickness, temporary absence or other occasion of non-attendance of the Intendant, the Wardens shall be empowered to elect one of their number to act in his room on any such occasion.

A. D. 1885.

Temporary
absence of In-
tendant pro-
vided for.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 15th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND SECTIONS 153, 154, 155 AND 158 OF THE No. 20.
GENERAL STATUTES OF THIS STATE, RELATING TO THE
FORMATION AND PROCEEDINGS OF THE COLLEGE OF
ELECTORS.

Sec. 1.—Section 153, as to preliminary meeting of Electors, amended.

Sec. 2.—Section 154, as to lists of Electors, amended.

Sec. 3.—Section 155, as to organization of Electors, vacancies and voting, amended.

Sec. 4.—Section 158, as to delivery of the vote, amended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 153 of the General Statutes of this State be, and the same is hereby, amended by striking out the words “in some convenient place,” in the second line thereof, and by inserting in their stead the following words, to wit: “in the office of the Secretary of State.” So that the said Section shall hereafter read :

Gen. Stat.
§ 153 amended.

SECTION 153. The Electors of President and Vice President shall convene at the Capital, in the office of the Secretary of State, on the day preceding the first Wednesday in December

Section 153 as
amended.

A. D. 1885. after their election; and those of them who shall be assembled
 Preliminary meeting of electors. at four o'clock in the afternoon of that day shall, immediately after that hour, proceed to a preliminary organization, and make such preliminary arrangements as may be necessary for permanent organization and the casting of the electoral vote of the State.

Gen. Stat. SEC. 2. That Section 154 of the General Statutes of this State
 § 154 amended. be, and the same is hereby, amended by striking out the words "The Secretary of State shall prepare three lists of the names of the Electors," in the first and second lines thereof, and by inserting in their stead the following words, to wit: "The Governor shall cause at least four lists of the names of the Electors to be made and certified by the Secretary of State, who shall." So that the said Section shall hereafter read:

Section 154 as amended. SECTION 154. The Governor shall cause at least four lists of
 Lists of electors to be furnished. the names of the Electors to be made and certified by the Secretary of State, who shall procure to the same the signature of the Governor, affix thereto the Seal of the State, and deliver them, thus signed and sealed, to the President of the College of Electors on the said first Wednesday in December.

Gen. Stat. SEC. 3. That Section 155 of the General Statutes of this
 § 155 amended. State be, and the same is hereby, amended by striking out the words "at some convenient place at the Capital," in the second line thereof, and inserting in their stead the following words, to wit: "at the Capital, in the office of the Secretary of State." So that said Section shall hereafter read:

Section 155 as amended. SECTION 155. On the said first Wednesday in December, at
 Time and place of meeting for organization. 12 o'clock M., the Electors shall meet at the Capital, in the office of the Secretary of State, and effect a permanent organization by the election of a President and Secretary from their own body, proceed to fill by ballot, and by plurality of votes, all
 How organized. vacancies in the Electoral College occasioned by the death, refusal to serve or neglect to attend at that hour of any Elector, or occasioned by an equal number of votes having been given for two or more candidates for Presidential Electors, and then
 Vacancies. and there vote by ballot for President and Vice President, one of whom, at least, shall not be an inhabitant of the same State with themselves. They shall name in their ballots the persons voted for as President, and in distinct ballots the persons voted for as Vice President.

Voting for President and Vice President. SEC. 4. That Section 158 of the General Statutes of this State
 Gen. Stat. be, and the same is hereby, amended by inserting after the words
 § 158 amended.

"South Carolina," in the third line thereof, the following words, to wit: "and to deliver forthwith to the Secretary of State, to be filed in his office." So that said Section shall hereafter read:

A. D. 1885.

SECTION 158. The Electors are also required to forward forthwith, by the postoffice, to the President of the Senate of the United States, at the seat of government, and to deliver forthwith to the Judge of the United States for the District of South Carolina, and to deliver forthwith to the Secretary of State, to be filed in his office, similar lists, signed, annexed, sealed up, and certified in the manner aforesaid.

Section 158 as amended.

Statement of votes cast, to whom to be sent.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 15th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO CHARTER THE "AUGUSTA AND ABBEVILLE RAILROAD COMPANY," AND TO PROVIDE FOR THE SUBSCRIPTION TO THE CAPITAL STOCK THEREOF. No. 21.

- SEC. 1.—Corporators, name and powers.
- SEC. 2.—Route of the road.
- SEC. 3.—Amount of capital stock, and organization of the company.
- SEC. 4.—Subscriptions to capital stock. Power to issue bonds and mortgages.
- SEC. 5.—Subscriptions by Town of Abbeville.
- SEC. 6.—The same.
- SEC. 7.—Railroad tax to pay subscription.
- SEC. 8.—Right of way granted.
- SEC. 9.—Consolidation with other roads authorized.
- SEC. 10.—Liability of stockholders.
- SEC. 11.—Not to be exempt from taxation.
- SEC. 12.—Public Act. Charter to continue for 30 years, if commenced by Dec. 31, 1883.
- SEC. 13.—Proxy of Town of Abbeville stock, provided for.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. Fuller Lyon, W. A. Templeton, D. A. P. Jordan, L. W. Corporators.

A. D. 1885.

Name.

Powers.

White, J. S. Cothran, R. E. Hill, T. C. Seal, O. T. Calhoun, F. L. Morrow, W. J. Smith, J. T. Robinson, I. G. Edwards, L. W. Smith, J. C. Douglass and S. C. Cason, of the County of Abbeville, and such other persons and corporations as may be associated with them, and their successors and assigns, be, and they are hereby, created a body politic and corporate, by the name and style of the "Augusta and Abbeville Railroad Company," and by that name may sue and be sued, plead and be impleaded, answer and be answer unto, in any Court of law and equity in this State or in the United States; may make by-laws and appoint all necessary officers and prescribe their duties; and may accept, purchase, hold and convey any property, real or personal, necessary for the purposes hereinafter mentioned; may make contracts, have and use a common seal, and do all other lawful acts properly incident to and connected with said corporation and necessary for the control and transaction of its business: *Provided*, That their by-laws be not repugnant to the Constitution and laws of this State or of the United States.

Route.

SEC. 2. That the said company be, and is hereby, authorized and empowered to construct, maintain and operate a railroad extending from the Town of Abbeville, in the County of Abbeville, to the Town of Verdery, in the said County, or some point near thereto, on the Augusta and Knoxville Railroad.

Amount of capital stock.

SEC. 3. That the capital stock of said company shall be fifty thousand (\$50,000) dollars, in shares of twenty-five dollars each, with the privilege of increasing the capital stock to such an amount as may be found necessary to carry out the intentions and purposes of this Act, which shares shall be transferable in such manner as the by-laws may direct: *Provided*, That when

When and how to organize.

the sum of ten thousand dollars (\$10,000) shall have been subscribed to the capital stock of said company as hereinafter directed, the said corporators or a majority of them shall appoint a time and place of meeting of said stockholders, after due notice, at which time and place said stockholders may proceed to the organization of said company by election of officers, as may be determined upon, who shall constitute a Board of Directors, which Board shall prescribe by suitable by-laws for the time and place of holding annual elections for officers, subject to the approval of the stockholders at the first annual meeting.

By-laws.

Subscriptions.

SEC. 4. That for the purpose of raising the capital stock of said company, it shall be lawful to open books for private subscription at such times and places as said corporators may direct,

and that said subscriptions to the capital stock may be made in money, bonds, material and work, at such rates as may be agreed upon with said company. And the said railroad company shall have power to mortgage its property and franchises and issue bonds on such terms and conditions and for such purposes and uses of said corporation as the said company may deem necessary.

A. D. 1885.

May issue bonds and mortgages.

SEC. 5. That in addition to the provisions contained in the preceding Section for private subscription, it shall and may be lawful for the Town of Abbeville to subscribe to the capital stock of the company such sum in money or bonds as a majority of the qualified voters of said town may authorize the Town Council to subscribe thereto, not exceeding the sum of fifteen thousand dollars, (\$15,000,) which subscription, if made in money, shall be payable in such annual installments as may be determined upon, and if made in bonds shall be payable in seven (7) per cent. coupon bonds, in such annual installments as may be determined upon, to be received by the company at par and to be of such denomination as may be determined upon by the Board of Directors: *Provided*, That the Town Council of the Town of Abbeville shall not submit the question of "subscription" or "no subscription" to the voters of said town until a petition is presented to them stating the amount of the subscription to be made, whether in money or bonds, and in how many annual installments, which petition shall be signed by a majority of the real estate owners of said town.

Subscription by Town of Abbeville.

SEC. 6. That if at the election above authorized a majority of the votes are cast for "subscription," then the Town Council of the Town of Abbeville shall be authorized and required to subscribe to the capital stock of said company the said sum, in money or bonds, so indicated in said petition, and on the terms set forth therein.

Town of Abbeville to subscribe the sum voted.

SEC. 7. That for the payment of the said sum so subscribed, according to the terms of said subscription so authorized, the Town Council of said town are hereby authorized and required to assess annually, upon the property of said town, such per centum as may be necessary to pay the installments of said subscription as they may become due, with any interest thereon, at the same time and manner as other municipal taxes for said town are collected, which tax shall be known as the "Railroad Tax" and shall be held for the payment of said subscription to the stock of said company, and for no other purpose, and shall be

Railroad tax to pay subscription.

A. D. 1885.

applied to the payment of said subscription, whether in money or bonds.

Rights of way.

SEC. 8. That the said company shall have all such rights, privileges and powers necessary for the purpose of acquiring such lands or rights of way as may be necessary for the location or construction of said railroad, or for the erection or location of depots, stations and other necessary establishments, and also the benefit of all process or proceedings, and be subject to all the restrictions provided or imposed by the General Statutes of this State.

Consolidation
with other
roads.

SEC. 9. That the said company is authorized to consolidate with any railroad company, now existing or which may hereafter exist, on such terms as may be agreed upon under the laws of this State.

Liability of
stockholders.

SEC. 10. Each stockholder in the said corporation shall be jointly and severally liable to the creditors thereof in an amount, besides the value of his share or shares therein, not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of creditors was created: *Provided*, That such demand shall have been payable within one year: *Provided, also*, That proceedings to hold such stockholder liable therefor shall be commenced whilst he remains a stockholder therein, or within two years after he shall have ceased to be such stockholder: *Provided, further*, That persons holding stock in such company as executors, or administrators, or by way of collateral security, shall not be personally subject to the liabilities of the stockholders under the foregoing provisions, but the person pledging such stock shall be liable as a stockholder, and the estates and funds in the hands of such executors or administrators shall be liable in their hands in like manner and to the same extent as the deceased testator or intestate, or the ward or person interested in such trust fund, would have been if they had respectively been living and competent to act and hold the stock in their own names.

Not exempt
from taxation.

SEC. 11. That nothing in this Act contained shall exempt the property of said railroad company from taxation for State and County purposes.

Public Act for
30 years.

SEC. 12. That this Act shall be a public Act, to take effect from the time of approval, and shall remain in force for a period of thirty years: *Provided*, That this charter shall cease and

To be com-
menced by
Dec. 31, 1888.

determine unless the construction of said railroad is commenced on or before the thirty-first day of December, A. D. 1888.

SEC. 13. That at all meetings of the stockholders of the company, the stock subscribed as herein authorized by the said Town of Abbeville shall be represented by five owners of real estate within the corporate limits, as proxies for said stock, to be appointed by the Town Council or by a meeting of the taxpayers, as may be established by the by-laws.

A. D. 1885.

Proxy of the
Town of Abbeville.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.

JAMES SIMONS,
Speaker House of Representatives.

Approved December 15th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO RENEW THE CHARTER OF THE SOUTH CAROLINA LOAN AND TRUST COMPANY. No. 22.

SEC 1.—Charter renewed for 21 years, but subject to Const., Art. XII. § 6.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter granted to the South Carolina Loan and Trust Company by the Act of the General Assembly entitled "An Act to incorporate the South Carolina Loan and Trust Company," approved December 26th, 1866, be, and the same is hereby, renewed, with all the rights, powers and privileges therein conferred and granted, for the term of twenty-one years from and after the date of the expiration of the present charter: *Provided, however*, That the said renewal of the said charter shall be subject to the provisions of the sixth Section of the twelfth Article of the Constitution of the said State.

Charter re-
newed for 21
years.
13 Stat. 488.

Subject to
Const., Art.
XII, § 6.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.

JAMES SIMONS,
Speaker House of Representatives.

Approved December 15th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D 1885. **AN ACT TO INCORPORATE THE ABBEVILLE BUILDING AND
No. 23. LOAN ASSOCIATION.**

SEC. 1.—Incorporation. Capital stock and how paid.

SEC. 2.—Powers and privileges.

SEC. 3.—Right to hold real estate.

SEC. 4.—Loans to members and rights of property.

SEC. 5.—Loans to persons who are not members.

SEC. 6.—Division of assets and dissolution.

SEC. 7.—Public Act and when to take effect.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Corporators. M. L. Bonham, Jun., S. C. Cason, L. W. Smith, W. C. Benet, W. H. Parker, H. D. Wilson, M. P. DeBruhl, J. F. Miller, and others who are or may hereafter be associated with them, be,

Incorporation. and they are hereby, declared a body politic and corporate, for

Purposes. the purpose of making loans of money, secured by mortgage on real estate or personal property, or by conveyance of the same to their members and stockholders, by the name and style of the

Name. "Abbeville Building and Loan Association;" the capital stock

Capital stock. of said association to consist of one thousand (1,000) shares, but as soon as three hundred (300) shares or more are subscribed thereto the said association shall organize and commence operations;

How paid. said shares to be paid by successive monthly installments of one dollar on each share as long as the corporation shall continue;

Rights and liabilities. the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines and forfeitures for default in their payments, as may be prescribed by the by-laws and other regulations of said corporation.

Powers and privileges. SEC. 2. That the said corporation shall have power and authority to make any such rules and by-laws for its government as are not repugnant to the Constitution and laws of the land; shall have such members and succession of members and officers as shall be ordained and chosen according to their said rules and by-laws made or to be made by them; shall have and keep a common seal, and may alter the same at will; may sue and be sued, plead and be impleaded, in any Courts of law or equity in this State, and shall have and enjoy all and every right and privilege incident and belonging to corporate bodies, according to the laws of the land.

Real estate. SEC. 3. That the said corporation shall have power to take, purchase and hold real estate, and to sell and transfer the same from time to time, on such terms and under such conditions and subject to such regulations as may be prescribed by the rules and

by-laws of said corporation : *Provided*, That the real estate held by said corporation shall not at any time exceed the value of two hundred thousand dollars.

A. D. 1885.

SEC. 4. That the funds of said corporation shall be loaned and advanced to the members and stockholders upon the security of real and personal estate, and used in the purchase of real estate for the benefit of its members and stockholders, on such terms and under such conditions and subject to such regulations as may from time to time be prescribed by the rules and by-laws of said corporation. And it shall be lawful for the said corporation to hold such land, tenements, hereditaments and personal property as shall be mortgaged or conveyed to them in good faith by way of security upon its loans and advances, and may sell, alien or otherwise dispose of the same as they from time to time may deem expedient.

Loan of funds to stockholders.

May acquire, hold and dispose of property.

SEC. 5. That whenever it shall occur that the funds of the said corporation shall remain unproductive and uncalled for for the space of two months, the corporation shall have power to loan whatever amount may thus be on hand to others than stockholders and members, for such time and at such rate of interest, not inconsistent with the laws of this State, as may be established by virtue of such rules and by-laws as may be made by such corporation.

Loan of funds to strangers.

SEC. 6. That whenever the funds of said corporation shall have accumulated to such an amount that, upon a fair and just division thereof, each stockholder and member shall have received or be entitled to receive the sum of two hundred (200) dollars, or property of that value, for each and every share of stock by him, her or it so held, and when such distribution and division of the funds shall have been so made, then this corporation shall cease and determine.

Division of assets.

SEC. 7. This Act shall be deemed a public Act, and the same may be given in evidence without specially pleading the same, and shall take effect immediately on its passage.

Dissolution.

Public Act.

When to take effect.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,

Governor.

A. D. 1885.

No. 24.

AN ACT RELATING TO THE APPORTIONMENT OF THE SCHOOL FUND FOR THE SCHOOL YEAR 1885-86.

SEC. 1.—To be apportioned on same basis as in 1884-85.

SEC. 2.—Repealing clause.

To be apportioned on same basis as in 1884-85.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the School Commissioners of the several Counties be authorized, and are hereby directed, to apportion, at the time now prescribed by law, the school fund of their respective Counties among the School Districts thereof for the school year 1885-86, upon the basis of the tax returns used for the apportionment for the school year 1884-85.

Repealing clause.

SEC. 2. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,

Governor.

No. 25. AN ACT TO AMEND THE CHARTER OF THE TOWN OF BEAUFORT.

SEC. 1.—Council to protect town against diseases and nuisances.

SEC. 2.—To preserve order at railroad stations.

SEC. 3.—Extra-territorial application of existing ordinances.

SEC. 4.—Restriction of extra-territorial rights.

Town Council to protect town against diseases.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of protecting the health of the citizens of the Town of Beaufort and preventing nuisances offensive to the people of said town, the Town Council of Beaufort be, and

they are hereby, authorized and empowered to enact all ordinances necessary to prevent the introduction and spread of all contagious and infectious diseases, at all places distant not more than one mile from the nearest point of the present town limits, and also to enact all ordinances necessary to prevent and remove all nuisances within the same area, and to punish by fine and imprisonment such persons as may be found guilty of maintaining or continuing the same.

A. D. 1885.

And against nuisances.

SEC. 2. They are also empowered to enact ordinances necessary to preserve good order at all railroad stations within the same area.

To preserve order at R. R. stations.

SEC. 3. That all ordinances and parts of ordinances of said town now in force and relating to the foregoing subjects shall be, and they are hereby, made applicable to all persons and places within the said limits.

Extra territorial application of existing ordinances.

SEC. 4. That nothing herein contained shall be held as a grant of power to said Town Council to impose or collect taxes, licenses, fees or assessments of any kind whatsoever on or from persons or property beyond the present limits of said town, and their jurisdiction and power over the above extended limits shall be restricted solely to the purposes designated in Sections 1 and 2 of this Act.

Restriction of extra territorial rights.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.

No. 26.

AN ACT TO INCORPORATE THE MUTUAL SAVINGS INSTITUTION, OF CHARLESTON.

SEC. 1.—Incorporation. Capital stock. Shareholders.

SEC. 2.—Powers and privileges.

SEC. 3.—Real estate.

SEC. 4.—Investment of funds. Rate of interest

SEC. 5.—Property to be distributed at end of five years.

SEC. 6.—Liability of stockholders and limitations thereon.

SEC. 7.—Fraudulent misrepresentation a misdemeanor.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That James F. Redding, J. L. Perry, J. A. Miles and J. P. O'Neill, together with such persons who are or may hereafter be associated with them, be, and they are hereby, declared a body politic and corporate, for the purposes of buying and selling real estate, bonds, stocks and other securities, and of making loans of money, secured by mortgages of real estate and pledges of personal property, by the name and style of the Mutual Savings Institution, the capital stock of said institution to consist of one thousand shares; but as soon as three hundred shares are subscribed the corporation shall organize and commence operations; said shares to be paid by successive monthly installments of one dollar on each share as long as the corporation shall continue; the shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines and forfeitures for default in their payments, according to such regulations as may be prescribed by the by-laws of said corporation.

SEC. 2. That the said corporation shall have power and authority to make any such rules and by-laws for its government as are not repugnant to the Constitution and laws of the land; shall have such members and succession of officers as shall be ordained and chosen according to their said rules and by-laws made or to be made by them; shall have and keep a common seal, and may alter the same at will; may sue and be sued, plead and be impleaded, in any Court of competent jurisdiction in this State, and shall have and enjoy all and every right and privilege incident and belonging to corporate bodies according to the laws of the land.

Incorporation.

Purposes.

Name and capital stock.

Shares, how paid for.

Rights and liabilities.

Powers and privileges.

SEC. 3. That the said corporation shall have the power to take, purchase and hold real estate, and to sell and transfer the same, on such terms and on such conditions and subject to such regulations as may be prescribed by the rules and by-laws of such corporation: *Provided*, That the real estate held by the said corporation shall not at any time exceed the value of two hundred thousand (\$200,000) dollars.

A. D. 1885.

Real estate.

SEC. 4. The funds of the said corporation shall be invested in real estate, bonds, stocks, and such other property as the said corporation may direct; and shall be loaned upon such terms and conditions as the corporation may prescribe by its rules and by-laws; and it shall be lawful for said corporation to hold such real estate, bonds, stocks, and other property, so bought, mortgaged, or pledged to them, and may sell, alien, or otherwise dispose of the same, as from time to time it may deem expedient: *Provided*, That no interest shall be charged upon loans by the said corporation, to its members or others, in excess of the rate of interest fixed by the laws of this State.

Investment
of funds.

SEC. 5. That the corporation shall continue for the space of five years from its organization, at the end of which time its entire property shall be sold, and the proceeds divided *pro rata* among its then stockholders.

Rate of interest.

Assets divided
at end of 5
years.

SEC. 6. Each stockholder in the said corporation shall be jointly and severally liable to the creditors thereof in an amount, besides the value of his or her shares therein, not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditor was made: *Provided*, That such demand shall have been payable in one year: *Provided*, also, That the proceedings to hold such stockholder liable therefor shall be commenced within two years after such debt may have become due, and whilst he remains a stockholder therein, or within two years after he shall have ceased to be such stockholder: *Provided*, further, That no person holding a share or shares as executor, administrator, trustee, or in any other fiduciary capacity, shall be liable therefor beyond the value of the estate held by him as such executor, administrator, trustee, or in any other fiduciary capacity.

Liability of
stockholders.

Provisoes.

Executors and
trustees.

SEC. 7. That any fraudulent misrepresentation of the capital, resources or property of said corporation by any officer or mem-

Fraudulent
misrepresenta-
tion a misde-
meanor.

A. D. 1885. ber thereof shall be deemed a misdemeanor, punishable by fine and imprisonment, or either, at the discretion of the Court.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

No. 27. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE GEORGETOWN AND NORTH CAROLINA NARROW GAUGE RAILROAD COMPANY," AND THE ACTS AMENDATORY THEREOF.

SEC. 1.—Change of name, with same rights, liabilities, &c.

SEC. 2.—Limit to capital stock increased.

SEC. 3.—Section 6 of Act of 1878 amended to include cities.

SEC. 4.—Sections 7, 8 and 9 of same repealed.

SEC. 5.—Georgetown subscriptions to be expended in Georgetown.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
16 Stat. 427. the Act entitled "An Act to incorporate the Georgetown and North Carolina Narrow Gauge Railroad Company," approved March 4th, 1878, be, and the same is hereby, amended as follows: That the words "Georgetown and North Carolina Narrow Gauge" in the first Section of the said Act approved March 4th, 1878, be, and are hereby, stricken out, and the words "Charleston, Cincinnati and Chicago" inserted therefor, so that the corporate name and style of the body politic constituted by the said Act, and the Acts amendatory thereof, shall, after the approval of this Act, be "The Charleston, Cincinnati and Chicago Railroad Company." That all the rights, powers, privileges, franchises and immunities conferred upon, and
Powers and
privileges con-
tinued. enjoyed by, the said "The Georgetown and North Carolina

Change of
name.

Narrow Gauge Railroad Company" under the said Act of incorporation, and under the Acts amending the same, be, and the same are hereby, continued to and conferred upon said railroad company under its new corporate name of "The Charleston, Cincinnati and Chicago Railroad Company;" and all obligations and contracts, subscriptions, petitions for elections, and acts entered into, made and done by the said railroad company under its original corporate name, or by individual persons, Boards of County Commissioners, or bodies corporate, under and by virtue of the said Act of incorporation, or the Acts amendatory thereof, shall be binding upon and carried out respectively by the said railroad company under its corporate name of "The Charleston, Cincinnati and Chicago Railroad Company," and by such individual persons, Boards of County Commissioners, or bodies corporate, in the same manner and as fully as if such obligations, contracts, subscriptions, petitions for elections, or acts had been originally made, entered into or done by or with reference to said railroad company under the corporate name of "The Charleston, Cincinnati and Chicago Railroad Company."

A. D. 1885.

See 17 Stat.

961
See 18 Stat.
365.Also all con-
tracts, acts, &c.

SEC. 2. That the word "two" on the second line in the fourth Section of the said Act approved March 4th, 1878, be stricken out, and the word "five" be inserted in lieu thereof.

Limit to capi-
tal stock in-
creased.

SEC. 3. That the sixth Section of said Act approved March 4th, 1878, be, and is hereby, amended, by adding the words "or city" after the word "town" wherever the word "town" occurs in such Section.

Section 6
amended.

SEC. 4. That the seventh, eighth, and ninth Sections of said Act approved March 4th, 1878, be, and the same are hereby, repealed.

Secs. 7, 8 and
9 repealed.

SEC. 5. That no portion of any subscription heretofore made by the County of Georgetown shall be payable except for the actual construction of said railroad within said County, in the direction and over the original line to the Town of Georgetown.

Limitation
upon expendi-
ture of Geor-
town subscrip-
tion.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.

JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.

No. 28.

AN ACT TO PROVIDE FOR AND REGULATE THE INCORPORATION OF BUILDING AND LOAN ASSOCIATIONS IN THIS STATE.

SEC. 1.—General rights and liabilities. Contents of the particular charters.

SEC. 2.—Powers and privileges.

SEC. 3.—May hold, sell and mortgage real estate.

SEC. 4.—Investment of funds. Rights of property.

SEC. 5.—Loans to persons who are not members, and the interest thereon.

SEC. 6.—Liability of stockholders.

SEC. 7.—Fraudulent misrepresentation by officers or members.

SEC. 8.—Division of funds and dissolution.

General rights
and liabilities.

Statements in
the particular
charters.

Powers and
privileges.

May hold, sell
and mortgage
real estate.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, every building and loan association incorporated in this State shall have all the rights, powers and privileges set forth and granted by this Act, and shall be subject to all the liabilities, provisions and limitations herein expressed; and the Act of incorporation of such association shall contain: 1. The names of the corporators; 2. The name of the association; 3. The location of the association; 4. The capital stock, and how raised; 5. The limit of the value of real estate to be held; 6. A reference to this Act by its title; 7. Such exceptions and additions to the provisions of this Act as the General Assembly may enact for the better carrying out the objects of the association.

SEC. 2. Every corporation shall have power and authority to make such rules and by-laws for its regulation and government in any and all matters whatsoever, not inconsistent with the Constitution and laws of the United States and of this State, as may be deemed necessary, and may add to, alter or amend the same from time to time as may be desired; and shall have such number and succession of members and officers as shall be ordained and chosen according to their said rules and by-laws made or to be made by them; shall have and keep a common seal, and may alter the same at will; may sue and be sued, plead and be impleaded, in any Court of competent jurisdiction in this State, and shall have and enjoy all and every right and privilege incident and belonging to like corporate bodies, according to the laws of the land.

SEC. 3. Every such corporation shall have power to take, purchase and hold real estate, and to sell, mortgage and transfer the same, from time to time, on such terms, and under such conditions, and subject to such regulations as may be prescribed by the rules and by-laws of said corporation.

SEC. 4. The funds of the said corporation shall be invested in real estate, bonds, stocks, and such other property as the said corporation may direct, and shall be loaned and advanced to its members and stockholders upon the security of real and personal estate, or either, or used in the purchase of real estate for the benefit of its members and stockholders, on such terms, and under such conditions, and subject to such regulations as may from time to time be prescribed by the rules and by-laws of said corporation; and it shall be lawful for the said corporation to hold such lands, tenements, hereditaments and personal property as shall be mortgaged or conveyed to it in good faith, by way of security upon its loans and advances, and may sell, alien or otherwise dispose of the same, as it from time to time may deem expedient.

A. D. 1885.

Investment
of funds.May hold and
dispose of
property.

SEC. 5. Whenever it shall occur that the funds of such corporation shall remain unproductive and uncalled for for the space of two months, the corporation shall have the power to loan whatever amount may be then on hand to others than stockholders for such time and at such rates of interest as may be established by virtue of such rules and by-laws as may be made by said corporation, said rate of interest not to be inconsistent with the provisions of the law regulating the rate of interest in this State.

Loans to
strangers.Rate of in-
terest.

SEC. 6. The members of such corporation shall be individually liable for the debts of said corporation, each member to the extent of one year's annual dues which such member may owe to the corporation according to its by-laws in the year in which he or she may be sued for any corporation debt, but such liability shall not attach until such corporation shall have been sued, and *nulla bona* returned on execution in such suit.

Liability of
stockholders.

Limitation.

SEC. 7. Any fraudulent misrepresentation as to the capital, property and resources of such corporation shall be deemed a misdemeanor, and any Director or other officer or stockholder of the said corporation who shall knowingly and willfully make or cause to be made such fraudulent misrepresentations, upon conviction thereof, shall be fined or imprisoned at the discretion of the Court.

Fraudulent
misrepresenta-
tion a misde-
meanor.

SEC. 8. Whenever the funds and assets of such corporation shall have accumulated to such an amount that, upon a fair and just division thereof, each stockholder and member shall have received, or be entitled to receive, the sum of two hundred dollars (\$200), or property of that value, for each and every share of

Division of
funds and dis-
solution.

A. D. 1885.

stock by him or her so held, and such distribution and division of the funds shall have been so made, then such corporation shall cease and determine.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, 1885.

HUGH S. THOMPSON,
Governor.

No. 29. AN ACT TO PROVIDE FOR AND REGULATE THE INCORPORATION OF STEAMBOAT COMPANIES IN THIS STATE.

- SEC. 1.—General rights and liabilities. Contents of particular charters.
SEC. 2.—Powers.
SEC. 3.—Subscriptions to capital stock.
SEC. 4.—Stock to be personal property. Issue, transfer, &c., of shares.
SEC. 5.—Voting by stockholders regulated.
SEC. 6.—Liability of stockholders and of executors, trustees, &c.
SEC. 7.—Fraudulent misrepresentation a misdemeanor.
SEC. 8.—Limitation upon indebtedness. Penalty. Exceptions.
SEC. 9.—Funds not to be used for other purposes.

General rights
and liabilities.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act every steamboat company incorporated in this State for the purpose of transporting passengers or freight in the waters of this State, or on the high seas, shall have all the rights, powers and privileges set forth and granted in and by this Act, and be subject to all the liabilities, provisions and limitations herein contained, and said rights, powers, privileges, provisions, liabilities and limitations shall constitute part and parcel of the charter of every such corporation; and the Act of incorporation of such steamboat company shall contain: 1. The names of the corporators; 2. The name of the corporation; 3. The objects of the corporation; 4. The capital stock, and how raised; 5. A reference to this

Contents of
the particular
charters.

Act by its title; 6. Such special exceptions to the provisions herein contained, or such additions thereto, as the General Assembly may enact for the better carrying out the purposes of the incorporation; 7. The duration of the charter.

SEC. 2. Every such corporation may make such by-laws for its regulation and government in any and all matters whatsoever, not inconsistent with the Constitution and laws of the United States and of this State, as may be deemed necessary, and may add to, alter or amend the same from time to time as may be desired; may appoint all necessary officers and prescribe their duties; may sue and be sued, plead and be impleaded, in any Court of law or equity in this State; and may accept, purchase, hold, lease, or otherwise acquire, any property, real or personal, necessary or convenient to and for the purposes of the corporation, and may use, sell and convey and dispose of the same as the interest of the company may require; may make contracts, have and use a common seal, and do all other lawful acts properly incident to and connected with such corporation, and necessary and convenient for the control and transaction of its business: *Provided*, That the by-laws be not repugnant to the Constitution and laws of this State or of the United States.

SEC. 3. That for the purpose of raising the capital stock of any company so incorporated, it shall be lawful to open books of subscription at such times and places, and under the direction of such persons, as the incorporators may appoint, and such subscriptions to the capital stock may be made in land, money, bonds, machinery, materials and work at such rates as may be agreed upon with the company; and said company shall have power to mortgage its property and franchises, and issue bonds, on such terms and conditions and for such purposes and uses of the corporation as the company may from time to time deem necessary.

SEC. 4. The capital stock of such corporation shall be deemed personal property, and the corporation shall have authority in its by-laws to make all such regulations as may be deemed necessary and proper for the issuing and transfer of such stock, or for collecting and enforcing, by sale or otherwise, all subscriptions made thereto.

SEC. 5. Each stockholder shall have one vote for each share of the capital stock of such corporation he may own or represent at all elections and all meetings of the company, and the said corporation shall have authority in its by-laws to make such

A. D. 1885.

Powers.

Subscriptions
to capital
stock.Capital stock
to be personal
property.Issue, trans-
fer, &c., of
shares.Votes of stock-
holders.

A. D. 1885.

regulations as may be deemed proper for the representation by proxy of such stockholders as may be absent at such elections and meetings.

Liability of
stockholders.

SEC. 6. Each stockholder in such corporation shall be jointly and severally liable to the creditors thereof in an amount, beside the value of his share or shares therein, not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditor was created: *Pro-*

Proviso.

vided, That such demand shall have been payable within one year: *Provided, also*, That proceedings to hold such stockholders liable therefor shall be commenced within two years after such debt may have become due, and whilst he remains a stockholder therein, or within two years after he shall have

Executors and
trustees.

ceased to be such stockholder: *Provided, further*, That persons holding stock in such companies as executors or administrators, or by way of collateral security, shall not be personally subject to the liabilities of the stockholders under the foregoing provisions, but the person pledging such stock shall be liable as a stockholder, and the estates and funds in the hands of such executors or administrators shall be liable in their hands, in like manner and to the same extent as the deceased testator or intestate, or the ward or person interested in such trust fund, would have been if they had respectively been living and competent to act and hold the stock in their own names.

Fraudulent
misrepresentation
a misdemeanor.

SEC. 7. Any Director or other officer or stockholder of such corporation who shall knowingly and willfully make or cause to be made any fraudulent misrepresentation or misrepresentations as to either the capital, property or resources of the corporation shall be held guilty of a misdemeanor, and, upon conviction thereof, shall be punished by fine of not more than two thousand dollars (\$2,000) or imprisonment for not longer than two years, or both, at the discretion of the Court.

Limitation
upon indebted-
ness.

SEC. 8. The total amount of the debts which such company shall at any time owe shall not exceed double the amount of its capital stock actually paid in, and in case of excess the Directors

Penalty.

in whose administration it shall happen shall be personally liable for the same, both to the contractor or contractors and

Exceptions.

to the corporation. Such of the Directors as may have been absent when the said excess was contracted or created, or who may have voted against such contract or agreement and caused his vote to be recorded in the minutes of the Board, may respectively prevent such liability from attaching to themselves

by forthwith giving notice of the fact to a general meeting of the stockholders, which they are authorized to call for that purpose.

A. D. 1885.

SEC. 9. No part of the capital stock or any of the funds of such corporation shall at any time during the continuance of its charter be used or employed, directly or indirectly, in banking operations, or for any purpose whatsoever inconsistent with the provisions of its charter.

Funds not to
be used for
other pur-
poses.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND SUBDIVISION EIGHT (8) OF SECTION 1845 No. 30.
OF THE GENERAL STATUTES OF SOUTH CAROLINA.

SEC. 1.—Amendment of law regulating distribution of the estate of an intestate married woman.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That subdivision eight (8) of Section 1845 of the General Statutes of South Carolina be, and the same is hereby, amended by striking out the word "woman" at the end of said subdivision and by inserting in lieu thereof the word "man." So that the said subdivision as amended shall read as follows:

Amendment
of Gen. Stat.
§ 1845, ¶ 8.

Subdivision 8. On the death of a married woman intestate, the husband shall be entitled to the same share of her estate as is herein given to the widow out of the estate of the husband, and the remainder of her estate shall be distributed among her

Distribution
of the estate of
an intestate
married wife.

A. D. 1885.

descendants and relations in the same manner as is directed in case of the intestacy of a married man.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

No. 31. AN ACT TO INCORPORATE THE SUMMERVILLE STREET RAILWAY AND HOTEL COMPANY.

- SEC. 1.—Incorporation, name, purposes and capital stock.
SEC. 2.—To construct and operate street railway and hotel.
SEC. 3.—Powers. Voting by stockholders.
SEC. 4.—Subscriptions to stock. Property rights. Bonds and mortgages.
SEC. 5.—Track to be laid only with approval of Town Council.
SEC. 6.—Liability of stockholders in their own right and as trustees.
SEC. 7.—Stock to be personal property. Issue. Transfer of shares.
SEC. 8.—Conditional limitation of charter.
SEC. 9.—Otherwise, to remain of force for 21 years.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John Ruchheimer, B. A. Muckenfuss, Henry Card, W. Geo. Gibbes, J. H. Averill, T. W. Stanland, Lewis Jervey, J. J. Westcoat and Henry A. M. Smith and their associates be, and they are hereby declared to be, a body politic and corporate, under the name and style of the "Summerville Street Railway and Hotel Company," and by that title shall have power to take, subscribe and raise a capital stock to the amount of eight thousand dollars, in shares of twenty-five dollars each, for the purpose of constructing and operating a street railway and of erecting and conducting a public hotel in the Town of Summerville, S. C., with power to increase said capital stock from time to time to such further sum as may be necessary, not exceeding one hundred thousand dollars: *Provided*, That such increase be assented to by a majority in value of the stockholders at a meeting duly called, as may be provided by the by-laws for that purpose.

To construct
and operate
street railway.

SEC. 2. That said company shall have power and authority, subject as hereinafter provided to the supervision of the Town

Council of Summerville, to lay railway tracks through and along the streets within the corporate limits of the Town of Summerville, and to use and employ upon such railway tracks sufficient and suitable carriages or cars, to be drawn by horses or other animal power, or steam power, for the transportation of passengers and freights, upon such rates as shall be fixed by the said company, and for this purpose shall have all the authority and power necessary to carry the same into effect. That said company is further authorized to erect a hotel and carry on the business of public hotel keepers, subject, nevertheless, to all laws applicable to individuals carrying on the business of hotel or inn keepers.

A. D. 1885.

And hotel.

SEC. 3. That said company shall be able and capable by its corporate name to sue and be sued, plead and be impleaded, answer and be answered unto, in any Court in this State; to have succession of officers and members; and shall have power to make such by-laws, not repugnant to the laws of the land, for the government and good order of its members, as shall be deemed expedient by a majority in value of the stockholders; and to have a common seal, and at will to alter and make new the same. At all meetings of stockholders a majority in par value of the stock shall constitute a quorum to do business, and each share of stock shall be entitled to one vote.

Powers.

Voting by stockholders.

SEC. 4. That said company is authorized to receive subscriptions to its capital stock in money, materials or labor, as may be agreed upon between said company and said subscribers, and may acquire by grant, purchase, lease, or otherwise, any estate, real or personal, whatsoever, and the same may hold, use, sell, convey and dispose of, as to the said company shall seem fit. That said company shall have the power and authority to issue bonds for the purposes of construction, equipment, or the carrying on of its business, for such amounts and for such periods and on such interest as it may determine, and with power, if it so determine, to secure the same by a mortgage of all or any part of its property.

Subscriptions.

May acquire, hold and dispose of property.

May issue bonds and mortgages.

SEC. 5. That the said company, before laying any railway tracks for the purpose of running cars thereon in or through any street or streets in the Town of Summerville, shall make application for leave to do so to the Town Council of Summerville, and no such tracks shall be laid for the purposes aforesaid save with the consent and approval of the Town Council of Summerville.

Consent of Town Council to be had before track is laid.

A. D. 1885.

Liability of
stockholders.

Proviso

Executors and
trustees.Stock to be
personal prop-
erty.Issue, trans-
fer, &c., of
shares.Conditional
limitation of
charter.Otherwise, of
force for 21
years.

SEC. 6. Each stockholder in the said corporation, in addition to the loss of the sum paid upon the stock subscribed for or held by him, shall be jointly and severally liable to the creditors thereof in an amount not exceeding ten per cent. of the par value of the share or shares held by him at the time the demands of the creditors were created: *Provided*, That such demands shall have been payable within one year, and that the proceedings to hold such stockholders liable therefor shall be commenced within two years after such debts may have become due and whilst he remains a stockholder therein, or within two years after he shall have ceased to be such stockholder: *Provided*, *further*, That no person holding a share or shares as executor, administrator, trustee, or in any other fiduciary capacity, shall be liable thereon beyond the value of the estate held by him as such executor, administrator or trustee, or in any other fiduciary capacity.

SEC. 7. The capital stock of the said corporation shall be deemed personal property; and the said corporation shall have authority in its by-laws to make all such regulations as may be deemed necessary and proper for the issuing and transfer of such stock, or for collecting and enforcing by sale or otherwise all subscriptions made thereto.

SEC. 8. That unless the said corporation shall commence the work of building said hotel or said railway within five (5) years from date of its incorporation and complete the same within five years from such commencement, this Act shall be null and void and of no effect.

SEC. 9. That, subject to the provisions of the preceding Section, this Act shall continue of force for the term of twenty-one years, unless sooner repealed.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,

Governor.

AN ACT TO INCORPORATE THE VILLAGE OF TATUM, IN
MARLBORO COUNTY.

A. D. 1885.

No. 32.

SEC. 1.—Incorporation. Name and limits.

SEC. 2.—Intendant and Wardens and their election.

SEC. 3.—Same rights and powers as Village of Clio.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons, citizens of the United States, who now are or may hereafter be inhabitants of the Village of Tatum, in Marlboro County, are hereby declared a body politic and corporate, and the said village shall be known by the name of Tatum. And its limits shall extend a half mile in every direction from the point where the railroad crosses the public road at Hamer's Store.

Body politic.

Limits.

SEC. 2. That the government of said village shall be vested in an Intendant and four Wardens, to be elected on the 15th day of January, 1886, or within thirty days thereafter, and on the same day forever thereafter annually.

Intendant and Wardens.

SEC. 3. That all the rights, powers and privileges contained in the Act of the General Assembly incorporating the Village of Clio, in said County, approved the 4th February, 1882, and all Acts amendatory thereof, be, and the same are hereby, conferred upon the said Village of Tatum and its corporate authorities.

Same rights and powers as Village of Clio.

17 Stat. 771.
18 Stat. 369.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.

JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.

No. 33.

AN ACT TO GRANT TO THE WALTON AND WHANN COMPANY, A CORPORATION BY AND UNDER THE LAWS OF THE STATE OF DELAWARE, THE RIGHT TO CONSTRUCT AND MAINTAIN A RAILROAD OR TRAMWAY FROM CLEMENT'S FERRY, ON THE NAVIGABLE WATERS OF THE COOPER RIVER, TO THE NORTHEASTERN RAILROAD, SOUTH CAROLINA RAILWAY, AND CHARLESTON AND SAVANNAH RAILWAY, ALONG AND ACROSS ANY PUBLIC WAY.

SEC. 1.—Right and route, with a proviso.

Route of rail-
road or tram-
way.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Walton and Whann Company, a corporation and body politic by and under the laws of the State of Delaware, be, and the same is hereby, authorized and empowered to construct and maintain a railroad or tramway from a point at or near Clement's Ferry, on the navigable waters of the Cooper River, on which they shall establish phosphate mill and works, to the Northeastern Railroad, the South Carolina Railway, and the Charleston and Savannah Railway; and for that purpose to lay their track along and across the Clement's Ferry road and any other public way: *Provided*, That such precautions are taken as to offer no hindrance to the public use of such public ways.

Proviso.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,

Governor.

OF SOUTH CAROLINA.

51

AN ACT TO PRESCRIBE THE QUALIFICATIONS FOR ELECTORS
FOR INTENDANT AND WARDENS OF THE TOWN OF PENDLE-
TON.

A. D. 1885,

No. 34.

SEC. 1.—Who entitled to vote for Intendant and Wardens.

SEC. 2.—Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act every male citizen of this State who has attained the age of twenty-one years and has resided within the corporate limits of the Town of Pendleton for sixty days next preceding any election for Intendant and Wardens held in said town shall be entitled to vote at such election.

Who entitled
to vote.

SEC. 2. That so much of all Acts as are inconsistent with this Act are hereby repealed.

Repealing
clause.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO PROHIBIT THE SALE OF SPIRITUOUS OR MALT
LIQUORS IN THE TOWNS OF HODGES AND TROY, IN THE
COUNTY OF ABBEVILLE.

No. 35.

SEC. 1.—No liquor licenses to be granted, and its sale prohibited.

SEC. 2.—Penalties for violation.

SEC. 3.—When to take effect.

SEC. 4.—Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, no license for the sale of spirituous or malt liquors, wines, bitters, or other beverages

No liquor
licenses to be
granted.

A. D. 1885.

Sale pro-
hibited.Penalties for
violation.When to take
effect.Repealing
clause.

of which spirituous liquors form an ingredient, shall be granted by the municipal authorities of the Towns of Hodges and Troy, in the County of Abbeville, and the sale of spirituous or intoxicating liquors, bitters, or other beverages of which spirituous liquors form an ingredient, within the corporate limits of said towns is hereby prohibited.

SEC. 2. That any person violating any of the provisions of the foregoing Section shall, upon conviction thereof, be fined in a sum not less than two hundred dollars, or be imprisoned for a term of not less than six months, or both fined and imprisoned, in the discretion of the Court trying the same.

SEC. 3. That this Act shall take effect immediately on its approval.

SEC. 4. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

No. 36. AN ACT TO INCORPORATE THE COÖPERATION SAVINGS ASSOCIATION, OF COLUMBIA.

- SEC. 1.—Incorporation, name and capital stock.
SEC. 2.—Powers.
SEC. 3.—May hold real estate not exceeding \$200,000.
SEC. 4.—Investment of funds and rate of interest.
SEC. 5.—Assets to be divided at end of five years.
SEC. 6.—Liability of stockholders in their own right and as trustees.
SEC. 7.—Fraudulent misrepresentations a misdemeanor.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
Corporators. Willie Jones, W. C. McGregor, W. G. Childs, W. K. Duffie, Julius H. Mancke, George Shields, J. M. McMaster, Douglas

McKay, T. S. Bryan and F. W. McMaster, together with such persons who are or may hereafter be associated with them, be, and they are hereby, declared a body politic and corporate, for the purposes of buying and selling real estate, bonds, stocks and other securities, and of making loans of money secured by mortgages of real estate and pledges of personal property or security, by the name and style of "The Coöperation Savings Association, of Columbia," the capital stock of said association to consist of one thousand shares but as soon as two hundred shares are subscribed the corporation shall organize and commence operations; said shares to be paid by successive monthly installments of one dollar on each share as long as the corporation shall continue; the shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines and forfeiture for default in their payments, according to such regulations as may be prescribed by the by-laws of said corporation.

SEC. 2. That the said corporation shall have power and authority to make any such rules and by-laws for its government as are not repugnant to the Constitution and laws of the land; shall have such members and succession of officers as shall be ordained and chosen according to their said rules and by-laws made or to be made by them; shall have and keep a common seal, and may alter the same at will; may sue and be sued, plead and be impleaded, in any Court of competent jurisdiction in this State; and shall have and enjoy all and every right and privilege incident and belonging to savings associations according to the laws of the land.

SEC. 3. That said corporation shall have the power to take, purchase and hold real estate, and to sell and transfer the same, on such terms and on such conditions, and subject to such regulations, as may be prescribed by the rules and by-laws of such corporation: *Provided*, That the real estate held by the said corporation shall not at any time exceed the value of two hundred thousand dollars (\$200,000.)

SEC. 4. The funds of the said corporation shall be invested in real estate, bonds, stocks and such other property as the said corporation may direct, and shall be loaned upon such terms and conditions as the corporation may prescribe by its rules and by-laws; and it shall be lawful for said corporation to hold such real estate, bonds, stocks and other property so bought, mortgaged or pledged to them, and may sell, alien or otherwise dispose of the same, as from time to time it may deem expedient:

A. D. 1885.

Purposes.

Name.

Capital stock.

How paid.

Shares.

Powers.

Real estate.

Limit.

Investment
offunds.

A. D. 1885.

Interest.

Division at
end of 5 years.Liability of
stockholders.

Provisoos.

Executors and
trustees.Fraudulent
misrepresenta-
tion a misde-
meanor.

Provided, That no interest shall be charged upon loans by the said corporation to its members or others in excess of the rate of interest fixed by the laws of this State.

SEC. 5. That the corporation shall continue for the space of five years from its organization, at the end of which time its entire property shall be sold and the proceeds divided *pro rata* among its then stockholders.

SEC. 6. Each stockholder in said corporation shall be jointly and severally liable to the creditors thereof in an amount, besides the value of his or her shares therein, not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditor was made: *Provided*, That such demand shall have been payable in one year: *Provided*, also, That the proceedings to hold such stockholder liable therefor shall be commenced within two years after such debt may have become due, and whilst he remains a stockholder therein, or within two years after he shall have ceased to be such stockholder: *Provided*, further, That no person holding a share or shares as executor, administrator, trustee, or in any other fiduciary capacity, shall be liable therefor beyond the value of the estate held by him as such executor, administrator, trustee, or in any other fiduciary capacity.

SEC. 7. That any fraudulent misrepresentation of the capital, resources or property of said corporation by any officer or member thereof shall be deemed a misdemeanor, punishable by fine and imprisonment, or either, at the discretion of the Court.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

OF SOUTH CAROLINA.

55

AN ACT TO INCORPORATE THE BEAUFORT AND EDISTO STEAM- BOAT COMPANY OF SOUTH CAROLINA.

A. D. 1885.

No. 37.

SEC. 1.—Incorporation, name and powers.

SEC. 2.—Capital stock.

SEC. 3.—Liability of stockholders individually and as trustees.

SEC. 4.—Voting by stockholders.

SEC. 5.—Capital stock, personal property. Issue, transfer and sale of stock.

SEC. 6.—A public Act and to continue for 30 years.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Francis D. Phillips, George Waterhouse, William E. Bonneau, and all and every other person or persons hereafter becoming members of the Beaufort and Edisto Steamboat Company of South Carolina, their successors and assigns, are hereby declared a body politic and corporate, under the style and name of the "Beaufort and Edisto Steamboat Company of South Carolina;" and by that title shall have perpetual succession and be capable in law to carry on and conduct the business of towing, transporting passengers, produce, manufactured goods, general merchandise and any other freight, in the rivers of the Southern States, along the Atlantic seaboard, and inland in said States, and the high seas in general; and to purchase, use, hold, let, improve and dispose of such real and personal property as may be necessary for the objects of this incorporation; and may sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all Courts; and may receive and make all deeds, transfers, covenants, grants, agreements, and bargains whatsoever necessary for the said purposes; and may have and use a common seal, which they shall have power to renew or alter at pleasure; to make such by-laws for the government of said corporation as are consistent with this Act and the laws and Constitution of this State and of the United States; and generally may do every act or thing necessary to carry into effect the provisions of this Act and to promote the objects and designs of said company as authorized by this Act.

SEC. 2. That the parties aforesaid shall have power to raise by subscription a capital for the said corporation of twenty-five thousand dollars, in two hundred and fifty shares, of one hundred dollars each: *Provided, however,* That a majority of the Board of Directors of the said corporation shall have the power of increasing the said capital stock to any extent, not exceeding three hundred thousand dollars, whenever they may deem proper so to do; and the said corporation shall by its by-laws provide

- A. D. 1885. for the manner of raising and distributing such additional capital stock.
- Liability of stockholders. SEC. 3. Each stockholder in the said corporation shall be jointly and severally liable to the creditors thereof in an amount, besides the value of his share or shares therein, not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditor was made: *Provided*, That such demand shall have been payable within one year: *Provided, also*, That proceedings to hold such stockholders liable therefor shall be commenced within two years after such debt may have become due, and whilst he remains a stockholder therein, or within two years after he shall have ceased to be such stockholder: *Provided, further*, That no person holding a share or shares as executor, administrator, trustee, or any other fiduciary capacity, shall be liable therein beyond the value of the estate held by him as such executor, administrator, trustee, or in any other fiduciary capacity.
- Provisoes.
- Trustees.
- Voting by stockholders. SEC. 4. Each stockholder shall have one vote for each share of the capital stock of the said corporation he may own or represent at all elections and at all meetings of the company; and the said corporation shall have authority in its by-laws to make such regulations as may be deemed proper for the representation by proxy of such stockholders as may be absent at such elections and meetings.
- Capital stock personal property. SEC. 5. The capital stock of the said corporation shall be deemed personal property, and the said corporation shall have authority in its by-laws to make all such regulations as may be deemed necessary and proper for the issuing and transfer of such stock, or for collecting and enforcing by sale or otherwise all subscriptions made thereto.
- Issue, transfer and sale of stock.
- Public Act for 30 years. SEC. 6. That this Act shall be deemed and taken as a public Act, and shall continue in force for the term of thirty years and until the final adjournment of the General Assembly meeting next thereafter.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,

Governor.

AN ACT TO CHARTER THE ANDERSON AND GREENVILLE RAILROAD COMPANY.

A. D. 1885.

No. 38.

- SEC. 1.—Incorporation, powers and name.
 SEC. 2.—Route of road.
 SEC. 3.—Capital stock and books of subscription.
 SEC. 4.—Power to issue bonds and mortgages.
 SEC. 5.—Consolidation with other roads.
 SEC. 6.—Right of way. Not exempt from taxation.
 SEC. 7.—Liability of stockholders.
 SEC. 8.—A public Act and to continue in force for 21 years.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. W. Humphreys, B. F. Whitner, P. K. McCully, S. Bleckley, J. N. Brown, E. M. Rucker, E. B. Murray, R. F. Divver, G. F. Tolly, W. L. Mauldin, J. L. Orr, H. P. Hammett, Joshua Jamison, John W. Rosamond, and John M. Glenn, their associates and successors, be, and they are hereby, created a body politic and corporate, with all the rights, powers and privileges incident to railroad corporations in this State, by the name and style of the Anderson and Greenville Railroad Company.

Incorporation.

Powers.

Name.

Route of road.

SEC. 2. That the said company is hereby authorized to construct a railroad from the City of Anderson to the City of Greenville, within this State, by such routes as shall be found suitable and advantageous. The precise lines and locations to be determined upon after the necessary surveys shall have been made.

SEC. 3. That the capital stock of said company shall be five hundred thousand dollars, with the privilege of increasing the same to such an amount as may be found necessary, not exceeding one million dollars; but as soon as a *bona fide* subscription of fifteen thousand dollars shall have been made, said company may organize and proceed to the construction of said railroad; and for the purpose of raising said capital stock, the said corporators, or a majority of them, shall have the power to open books of subscription at such times and places and under the direction of such persons as they may deem most expedient.

Capital stock.

Books of subscription.

SEC. 4. That the said railroad company shall have the power to mortgage its property and franchises, and to issue bonds on such terms and conditions and for such uses and purposes of said corporation as the Board of Directors may deem expedient.

Power to issue bonds and mortgages.

SEC. 5. That the said railroad company may, at any time during the existence of this charter, effect a consolidation with

Consolidation with other roads.

- A. D. 1885. any other railroad company, according to the provisions of Sections 6 to 14 inclusive, Chapter LXV, of the General Statutes.
- Right of way. SEC. 6. That said railroad company shall be subject to the provisions of an Act entitled "An Act to declare the manner by which lands or right of way over the lands of persons or corporations may be taken for the construction or use of railways or other internal improvements": *Provided, however,* That nothing herein contained shall be so construed as to exempt the company from payment of taxes.
- 14 Stat. 89. See Gen. Stat. § 1550.
- Not exempt from taxation.
- Liability of stockholders. SEC. 7. That the stockholders in said corporation shall be subject to the liability imposed upon stockholders in corporations other than railroad corporations by Section 1362 of the General Statutes.
- Public Act for 21 years. SEC. 8. That this Act shall be deemed a public Act, and shall continue in force for twenty-one years, and until the adjournment of the General Assembly next thereafter.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

No. 39. AN ACT TO EXEMPT PERSONS FISHING BY HAND WITH DIP NETS FROM THE OPERATION OF SECTION 1669 OF THE GENERAL STATUTES.

Restriction of Section 1669 of the General Statutes.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1669 of the General Statutes, relating to the obstruction

Gen. Stat. § 1669, restricted.

of the passage of fish, shall not apply to persons fishing with dip nets used by hand. A. D. 1885.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND SECTION 1067 OF THE GENERAL STATUTES OF SOUTH CAROLINA. No. 40.

SEC. 1.—Section 1067 of the General Statutes, as to gates across public roads, amended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1067 of the General Statutes of South Carolina be, and the same is hereby, amended so as to read as follows:

SECTION 1067. It shall be lawful for any citizen of this State over whose land any road may pass, other than a public highway, to erect gates thereon, and the persons owning or erecting such gates shall be liable to be indicted for a nuisance if they fail to keep them as herein provided; that is to say, the owner or keeper of any gate which obstructs a highway, either public or private, shall have such gate constructed so as to afford a roadway between the posts of at least nine feet, and shall keep the said gate in such repair and condition as to be easily opened and shut, and that the latch or other fastening will adjust itself on being closed; and, further, that the said keeper shall erect or caused to be erected, at convenient distance from such gate on each side, a suitable hitching post for the convenience of those traveling in vehicles. That the owner or keeper of such gate who shall fail to comply with the requirements of this Act shall,

Gen. Stat.
§ 1067, amend-
ed.

Section 1067
as amended.

Gates on pub-
lic roads.
Nuisance.

Requisite
width.
Condition.

Hitching posts.

A. D. 1885.
 Punishment. upon conviction, for each offense, pay a fine of not less than twenty-five dollars or be imprisoned in the County Jail for a term not exceeding thirty days.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
 President of the Senate.
 JAMES SIMONS,
 Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
 Governor.

No. 41.

AN ACT TO INCORPORATE THE TOWN OF CHESTER.

- SEC. 1.—Incorporation, name, and limits.
- SEC. 2.—Intendant and Wardens, and their election. Electors and their oath.
- SEC. 3.—Registration.
- SEC. 4.—Oath of person registering.
- SEC. 5.—Election. Managers and their oath. Oath of Council and term of office.
- SEC. 6.—Vacancies.
- SEC. 7.—Powers and duties of the Town Council.
- SEC. 8.—Abatement of nuisances.
- SEC. 9.—Streets and bridges. Street duty. Fire limits.
- SEC. 10.—Special licenses.
- SEC. 11.—Sidewalks.
- SEC. 12.—Marshals, their powers and duties.
- SEC. 13.—Arrests, fines and other punishments.
- SEC. 14.—Taxes and assessments.
- SEC. 15.—Business licenses. Liquor licenses. Collection of taxes.
- SEC. 16.—Auction sales.
- SEC. 17.—Duties of Council on election of their successors.
- SEC. 18.—First election. Holding over. Ordinances and contracts continued of force.
- SEC. 19.—Repealing clause.
- SEC. 20.—Public Act for 21 years; when to take effect.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
 Incorporation. from and after the passage of this Act all citizens of this State having resided sixty days in the Town of Chester shall be deemed, and are hereby declared to be, a body politic and corporate; and the said town shall be called and known by the

name of Chester, and its corporate limits shall extend one mile in each direction from the Court House in said town.

A. D. 1885.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States, and shall have been residents of the said town for sixty days immediately preceding their election, who shall be elected on the second Monday in January in each year, after the first election hereinafter provided for, ten days' public notice of such elections being previously given; and that all male inhabitants of the age of twenty-one years, citizens of the State, and who shall have resided in the said town sixty days immediately preceding the election, and who have registered as hereinafter provided, shall be entitled to vote for said Intendant and Wardens, those persons disqualified to vote at State elections excepted, and who, before voting, shall take an oath that they are duly qualified to vote and have not voted at that election.

Name and
limits.
Intendant and
Wardens.

Time of elec-
tion.

Electors.

Oath.

SEC. 3. That the Managers of Election shall, ten (10) days preceding the day of election, open the polling place for which they have been appointed, and shall there, upon such days as the said Intendant and Wardens may deem necessary, until five days previous to said day of election, open lists for the registration of the qualified voters of said town with their place of residence; the said lists to be open for registration on each of said days between the hours of nine (9) o'clock in the morning and three (3) o'clock in the afternoon, without intermission or adjournment. The registration list when completed shall remain in the custody of said Managers until needed for the day of election; and any one who desires to make copies of said lists, or to inspect the same, shall be permitted to do so under such regulations as the Managers may prescribe.

Registration.

List.

SEC. 4. That the Managers shall administer to every person offering to register an oath that he is qualified to vote at the election to be held, and that he has truly stated his name and residence.

Oath of person
registering.

SEC. 5. That the election for said Intendant and Wardens shall be held at some convenient public place in the said town, to be designated by the said Intendant and Wardens, from nine (9) o'clock in the morning until five (5) o'clock in the afternoon; and when the polls shall be closed the Managers shall forthwith count the votes and proclaim the election, and give notice in writing to the persons elected. The Intendant and Wardens, for the time being, shall appoint three Managers to

Election.

Managers.

- A. D. 1885.** hold the ensuing and any subsequent election. Whenever there shall not be an Intendant and Wardens, or Intendant and Warden, from any cause whatever, it shall be the duty of the Clerk of the Circuit Court for Chester County to order such election forthwith and appoint three Managers to conduct the same. In every case the Managers of Election shall, before opening the polls, take an oath fairly and impartially to conduct the same.
- Oath of Managers.** The Intendant and Wardens, before entering upon the duties of their respective offices, shall take the oath prescribed by the Constitution of this State, and also the following oath, to wit: "As Intendant (or Warden) of the Town of Chester, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes for which I have been elected: so help me God." The said
- And of the Intendant and Wardens.** Intendant and Wardens shall hold their offices from the time of their election until the second Monday in January of the year ensuing, and until their successors shall be elected and qualified.
- Term of office.**
- Vacancies.** SEC. 6. That in case a vacancy shall occur in the office of Intendant or Warden, by death, resignation, removal or otherwise, or in case of a tie in any election, an election to fill such vacancy shall be held, by order of the Intendant and Wardens or Warden, as the case may be, or by order of the Clerk of the Circuit Court for Chester County if there shall be no Intendant and Wardens or Warden, ten (10) days' public notice thereof being previously given; and in case of the sickness, temporary absence, resignation, removal or death of the Intendant, the Wardens shall be empowered to elect one of their number to act as Intendant during the time of such sickness or temporary absence, or, in case of resignation, removal or death, until an Intendant is duly elected and qualified.
- Powers of Trial Justice.** SEC. 7. That the Intendant and Wardens duly elected and qualified shall, during their term of office, severally and collectively, be vested with all the jurisdiction and powers which Trial Justices now have or may hereafter have within the corporate limits of the said town, except the trial of civil actions, and may impose and collect such fines and penalties severally and collectively as Trial Justices are by law authorized to do. And the Intendant shall and may, as often as he may deem necessary,
- Council meetings.** summon the Wardens to meet in Council, any two of whom with the Intendant or any three of the Wardens may constitute
- Quorum.** a quorum to transact business; and they shall be known by the

name of the Town Council of Chester; and they and their successors hereafter to be elected may have a common seal, which shall be affixed to all their ordinances; may sue and be sued, may plead and be impleaded, in any Court of law or equity in this State; and purchase, hold, possess and enjoy to them and their successors, in perpetuity or for any term of years, any estate, real or personal or mixed, and sell, alien, convey and lease the same: *Provided*, The same shall not exceed at any one time the sum of twenty thousand dollars; and the said Town Council shall have full power and authority to establish or to authorize the establishment of a market house in the said town, and to prescribe suitable rules and regulations for the same; and to establish or authorize the establishment of a guard house, and to prescribe suitable rules and regulations for keeping and governing the same; and the said Town Council shall have full power and authority under their corporate seal to make all such rules, by-laws and ordinances respecting the streets, roads, drainage, market houses and the business thereof, buildings, trade and police system of said town as shall appear to them necessary and proper for the security, welfare and convenience of the said town, and for preserving health, peace, order and good government and morals within the same; and the said Town Council may fix and impose fines and penalties and imprisonment in the guard house for a violation thereof, and appropriate the fines to the public use of the said corporation; and the said Town Council shall have the same power which Trial Justices now have or shall hereafter be vested with, to compel the attendance of witnesses and require them to give evidence upon the trial before them of any person for a violation of any of their by-laws or ordinances; and in the trial of all offenders against the by-laws or ordinances of the said town, the Town Council shall be governed by the same rules of procedure and evidence as are now or shall hereafter be prescribed for the government of Courts of Trial Justices in criminal cases; the party charged shall be cited to trial by service upon him of a summons, under the hand of the Intendant or any of the Wardens, wherein shall be clearly specified the offense charged and the time and place of trial; all fines imposed by the said Town Council for any violation of ordinances or by-laws shall be entered in the form of a judgment, in a book kept for that purpose by the Town Council, similar to such entries required to be made by Trial Justices now or hereafter; and said fines

A. D. 1885.

Other powers.

May hold property.

Not exceeding \$20,000.

Market.

Guard House.

Streets, &c.

Trade and police.

Health and peace.

Fines and imprisonment.

Witnesses.

Rules of trial.

Judgment book.

Enforcement of fines.

- A. D. 1885.** shall be collected by an execution issued by the Clerk of the Town Council, tested by the corporate seal, and directed to the police officer of the said town, who shall seize such property of the defendant as shall be subject to execution, and sell the same to satisfy the said judgment, in a public place, after two weeks' advertisement on the Court House door: *Provided*, That no fine shall be collected by the said Town Council above the sum of twenty dollars, except it be by suit in the Circuit Court or in any Court of Trial Justice: *And provided, also*, That no fine shall exceed fifty dollars: *And provided, also*, That no imprisonment shall exceed thirty days.
- Sales under execution.**
- Limits of fine.**
- And imprisonment.**
- Nuisances.** SEC. 8. That the said Town Council shall have full power to abate and remove all nuisances in the said town.
- Streets and bridges.** SEC. 9. That the said Town Council shall keep all roads, streets, ways and bridges within their corporate limits open and in good repair, and for that purpose they are invested with all the powers granted to County Commissioners; they shall have full power to classify and arrange the inhabitants of said town whom they may ordain liable to street, road or other public duty therein, and to force the performance of such duty under such penalties as are now or shall hereafter be prescribed by ordinance of the said town; and any person who shall be liable to street or road duty in the said town and shall refuse to perform the same without good excuse shall incur the same penalty now or hereafter prescribed by Statute for persons who fail, having no justifiable excuse, to work the public highways of the County of Chester, and enforceable in the same way: *Provided*, The said Town Council shall have full power to compound with persons liable to perform such duty upon such terms and upon the payment of such sums of money as may be established by ordinance, the money so received to be applied to the public use of the said corporation: *And provided, also*, That the individuals who compose the said Town Council shall be exempt from the performance of street and police duty, and the inhabitants of the said town shall be exempt from road duty without the corporate limits of the said town. And that the said Town Council shall have full power to lay out and open new streets in said town, and to close up, widen or to otherwise alter those now in use, or which may hereafter be established, whenever, in their judgment, the same may be necessary for the improvement or convenience of the said town: *Provided*, That they shall first pay damages, should any be claimed, to the land or house owner or
- Street duty.**
- Penalties.**
- Commutation.**
- Exemptions.**
- Opening and closing streets.**
- Damages.**

owners through or adjoining whose premises such streets may run, said damages to be fixed and determined in such manner as may be provided for by law. And the said Town Council shall have the power to prevent the erection of any wooden or frame building on the following streets of the said town, to wit : From that point on Main street where it is intersected by Centre street, Eastward along the North side of said Main street to the old Graham residence; then on both sides of the said Main street to a point where it is intersected by Mylie street ; then from Brandt's corner, on Main street, Southward to the bank corner inclusive ; then on both sides of Depot or Gadsden street Eastward to a point where it is intersected by Valley street ; then on the South side of Main street, from Simril's new brick store to the beginning point on Centre street ; and the said Town Council shall have power to make any ordinance to prevent such erection not inconsistent with the Constitution and laws of this State.

A. D. 1885.

Wooden
buildings.

Fire limits.

SEC. 10. That the said Town Council shall have full power to grant or refuse license for billiard tables, auctioneers, itinerant trades, butchers, livery stables, drivers of public drays or vehicles, ten pin alleys or any other kind of game, exhibition or sport of skill or chance within the limits of the said town; and the said Town Council shall have full power to impose a tax on all shows or exhibitions for gain or reward within the limits of the said town. And the said Town Council shall appropriate the revenues derived from the sources stated in this Section to the public use of the said corporation; and shall have full power to regulate by ordinance the granting of the said licenses, and the imposition of the said taxes, and to prescribe penalties for the violation thereof.

Special
licenses.

How used.

Enforcement.

SEC. 11. That the said Town Council shall have power and authority to require all persons owning lots or a lot in said town to make and keep in good repair sidewalks in front of said lots or lot, whenever the same shall front or adjoin any of the public streets of said town, if, in the judgment of the Council, such sidewalks shall be necessary, the width thereof and the manner of their construction to be designated and regulated by the Town Council; and for default or refusal to make and keep in repair such sidewalks, the Town Council may cause the same to be made or put in repair, and require the owner to pay the price of making or repairing, to be recovered by the said Town Council by suit in a Court of competent jurisdiction: *Provided,*

Sidewalks.

Penalties.

Proviso.

A. D. 1885. That such contract for making or repairing be first let to the lowest bidder.

Marshals and
their powers
and duties.

SEC. 12. That the said Town Council shall have power to elect or appoint one or more Marshals, who shall be duly sworn in and vested with all the powers Constables now have or shall hereafter be endowed with by Statute, and whose jurisdiction shall be confined to the corporate limits of the said town, and who shall be liable to removal at the pleasure of the said Council; and the Intendant and Wardens, or any one or more of them, are hereby authorized to require the Marshal or Marshals of said town, or any special Constable appointed by said Intendant and Wardens or Warden for that purpose, to commit to the guard house of said town any person who, within the corporate limits of said town, may be engaged in a breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness or in any conduct grossly indecent or dangerous to the citizens of said town, or any of them, there to remain until arraignment for trial before the said Town Council, which shall be speedily granted the accused.

Offenders to
be committed.

Arrests and
punishments.

SEC. 13. That the said Town Council shall have full power to cause the arrest of any person or persons who shall be guilty of disorderly conduct in said town to the annoyance of the citizens thereof; and to punish such disorderly persons by imposing a fine not exceeding twenty dollars, and by imprisonment in the guard house for a term not exceeding thirty (30) days, or by sentence to labor on the streets of said town not exceeding thirty (30) days. That either one or two of the said sentences may be imposed at one and the same time, in the alternative, in the discretion of the Council: *Provided*, That any person sentenced to labor upon the streets of the said town shall have the privilege of commuting said sentence by paying therefor at the rate of fifty cents per day for each day embraced in said sentence. In case any fine is imposed and not paid, the said Town Council shall have power to issue execution and collect the same by levy and sale of the property of the defaulter. It shall be the duty of the Marshal or police of the said town to arrest all disorderly persons, and to call to his assistance the *posse comitatus* if necessary; and upon failure to perform said duty he shall be fined in a sum not exceeding twenty dollars for each and every offense.

Commutation
of imprison-
ment.

Enforcement
of fines.

Marshal and
posse comita-
tus.

Taxes.

SEC. 14. That the said Town Council shall have power to impose and collect in advance an annual tax upon the assessed real

and personal property in the said town; and such tax shall not exceed in any one year the rate of twenty-five cents on each hundred dollars' worth of the assessed value of such property, which valuation shall be ascertained from the taxpayers under oath, by three assessors appointed for that purpose by the Town Council, which assessors shall take an oath to value the said property, according to the best of their knowledge and understanding, faithfully and impartially, and their assessment so made shall be taken and received as the true value thereof, shall be entered in a book, signed by the assessors, and returned to the Clerk of the said Town Council: *Provided*, That taxpayers shall have thirty days from the return of the said assessment in which to complain thereof, upon the entering of which the Town Council may, for good cause shown, lower any assessment.

SEC. 15. And the said Town Council are hereby empowered to require all persons, companies and corporations now engaged or who hereafter may be engaged in any business, avocation, trade or profession of any kind whatever, within the limits of the Town of Chester, to take out a license from the said Town Council, who are hereby authorized to issue the same, and impose a reasonable charge or tax for the conduct of such business, trade, avocation or profession. And all such license charges shall be payable in advance by the parties liable for the same, and on failure of payment their property shall be liable for the same, as in manner and form just above stated in Section 14 of this Act: *Provided*, That the entire sum of money raised from the sources stated in this Section shall be equitably adjusted by said Town Council as between the different occupations and the persons engaged therein, and shall in no one year exceed the aggregate the sum of six hundred dollars: *And provided, further*, That nothing herein shall be interpreted as authorizing or empowering the said Town Council to license the sale of any spirituous or intoxicating liquors in the said town. And all persons liable to taxation shall make payment of their taxes to the Clerk or Treasurer of the said Town Council, or to such other person as may be authorized to receive them; and the money so raised shall be applied to the public use of the said town; and upon failure to make such payment as required, the party or parties so in default shall be subject to the penalties and remedies provided, or which shall hereafter be provided, by law for the failure to pay the general State and County tax, to be enforced in like manner by the said Town Council by execu-

A. D. 1885.

Limit.

Assessment.

Complaints.

Business
licenses.

How payable.

Proviso.

Liquor licenses
not authorized.

Payment of
taxes.

Penalties.

Execution for
taxes.

A. D. 1885.

Lien for taxes. tion for the use of the said town, except that in such cases execution to enforce the payment of such taxes shall be issued under the seal of the corporation, signed by the Clerk, and directed to the Marshal or other person appointed by the said Council to levy, collect and receive the same, with costs, as in such cases made by law. And all property upon which such taxes shall be levied and assessed is hereby declared and made liable for the payment thereof in preference to all other debts, except debts due to the State, which shall be first paid.

Auction sales. SEC. 16. That the said Town Council shall have power to regulate sales at auction within the limits of the said town, and
Proviso. to grant licenses to auctioneers: *Provided*, Nothing herein shall extend to judicial sales.

Accounts to be rendered to successors. SEC. 17. That each Town Council shall, within one month after the expiration of term of office, make out and return to their successors in office a full account of their receipts and expenditures during their term, which account shall be published in one paper of the said town; and shall pay over all moneys in

Books and property to be surrendered. their possession belonging to the corporation, and deliver up all books, records and papers incident to their office, as well as all property of every description to the said town belonging, to their successors in office; and on failure to do so, they shall be liable
Penalty for failure. to be fined in a sum not exceeding five hundred dollars, to be collected by any proper action of the said Town Council.

First election. SEC. 18. The first election for Intendant and Wardens under this charter shall be held on the fourth Monday in January, 1886, and until that election is held, and the Intendant and Wardens who may then be elected shall be duly qualified and installed into office, the Intendant and Wardens of the said town
Present Council to hold over. now holding said offices shall continue in office and be known as the Town Council of Chester; and all ordinances, rules and
Ordinances and contracts continued of force. regulations which are now in force in the said town, and all contracts and all acts done by the said town, shall continue and be of force to the same extent, tenor and effect as now exists, and nothing herein shall be deemed or taken in any way to impair any such rules, regulations, ordinances and contracts of the said Town of Chester.

Repealing clause. SEC. 19. That all Acts and parts of Acts heretofore passed in relation to the incorporation of the Town of Chester which are inconsistent with or repugnant to this Act be, and the same are hereby, repealed.

SEC. 20. That this Act shall be deemed a public Act, and shall continue in force for the term of twenty-one years, and to the end of the Legislature next ensuing, and shall take effect from the date of its approval.

A. D. 1885.

Public Act
for 21 years.
When to take
effect.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO CHARTER THE SAVANNAH VALLEY AND ELBERTON
RAILROAD COMPANY. No. 42.

- SEC. 1.—Corporators, name and powers.
SEC. 2.—Route of road.
SEC. 3.—Capital stock and books of subscription. Bonds and mortgages.
SEC. 4.—Consolidation with other roads.
SEC. 5.—Right of way. Not exempt from taxation.
SEC. 6.—A public Act, to continue for 21 years.
SEC. 7.—Time for building road limited.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. W. Humphreys, B. F. Whitner, P. K. McCully, J. N. Brown, S. Bleckley, E. M. Rucker, W. G. Watson, R. P. Clinkscales, James M. Latimer, Theodore Baker, J. A. Gilbert, T. J. Hester and Sam Hester, W. H. Mattox, L. L. Clark, James Wall, J. H. Jones and John W. McCalla, their associates and successors, be, and they are hereby, created a body politic and corporate, by the name and style of the Savannah Valley and Elberton Railroad Company, with all the rights and privileges incident to such corporations.

Corporators.

Name and
powers.

SEC. 2. That the said company is hereby authorized to construct a railroad from some convenient point on the Savannah Valley Railroad to the Georgia line, in the direction of Elberton, Georgia, the precise lines and locations to be determined upon after the necessary surveys shall have been made.

Route of
road.

A. D. 1885.

Capital stock.

SEC. 3. That the capital stock of said company shall be **fifty** thousand dollars, with the privilege of increasing the same **from** time to time, as the same may become necessary, to one hundred and fifty thousand dollars, but as soon as a *bona fide* subscription of five thousand dollars shall have been made the said company may organize and proceed to the construction of said **rail-**road. And said company shall have power to open books of subscription for the purpose of raising said capital stock at **such** times and places, and under the direction of such persons, as said corporators, or a majority of them, shall determine. And the said railroad company shall have power to mortgage its property and franchises and to issue bonds, on such terms and conditions and for such uses and purposes of said corporation as the Board of Directors may deem expedient.

Books of subscription.

May issue bonds and mortgages.

Consolidation with other roads.

SEC. 4. That the Savannah Valley and Elberton Railroad Company may at any time during the existence of this charter effect a consolidation with any other railroad company, according to the provisions of Sections 6 to 14, inclusive, Chapter LXV, of the General Statutes.

Right of way.

14 Stat. 89.
See Gen. Stat.
§ 1550.

SEC. 5. That the said railroad company shall be subject to the provisions of an Act entitled "An Act to declare the manner by which lands, or right of way over the lands, of persons or corporations may be taken for the construction or use of railways and other internal improvements": *Provided, however,* That nothing herein contained shall be so construed as to exempt the company from payment of taxes.

Not exempt from taxation.

Public Act for 21 years.

SEC. 6. This Act shall be deemed a public Act, and shall continue in force for twenty-one years, and until the adjournment of the General Assembly next thereafter.

Time limited for building road.

SEC. 7. This charter shall be null and void if said road is not commenced by the first of January, 1888, and completed by the first of January, 1895.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,

Governor.

AN ACT TO INCORPORATE THE BANK OF EDGEFIELD.

A. D. 1885.

No. 43.

SEC. 1.—Corporators, name, term of charter and powers.

SEC. 2.—Capital stock.

SEC. 3.—Books of subscription, organization, stockholders, Directors.

SEC. 4.—Banking and other powers.

SEC. 5.—Liability of stockholders. Restriction upon Directors.

SEC. 6.—By-laws and directions affecting management.

SEC. 7.—When to take effect.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That A. J. Norris, J. C. Sheppard, M. A. Markert, T. H. Rainsford, J. H. Bouknight, J. E. Cowles, W. E. Prescott, Alvin Hart, W. E. Lynch, O. F. Cheatham, W. F. Roath, W. H. Folk, O. L. Dobson, J. L. Addison, O. Sheppard, A. S. Tompkins, Ernest Gary, S. S. Tompkins, W. B. Penn, W. N. Burnett, I. W. Hill, C. W. Creighton, E. A. Glover, T. J. Adams, D. A. G. Ouzts, S. B. Mays, James Cantelon, F. H. Wardlaw, D. R. Durisoe, L. Charlton, and their future associates and successors, shall be, and they are hereby, constituted a body politic and corporate, by the name and style of The Bank of Edgefield, for the term of thirty years, and as such corporation shall have and may exercise and enjoy all the rights, powers and privileges incident to or enjoyed by any bank or banking institution now existing as a corporation under and by virtue of the laws of this State.

Corporators.

Name, term
and powers.

SEC. 2. The capital stock of said corporation shall not be less than twenty-five thousand dollars, and it may be increased from time to time to a sum not exceeding one hundred and fifty thousand dollars; and said stock shall be held by the stockholders in said corporation in shares of one hundred dollars each.

Capital stock.

SEC. 3. The corporators named in Section 1, or any three of them, may open books of subscription to the capital stock of said bank at such time or times and at such places and for such periods as they may deem proper. At any time after the sum of twenty-five thousand dollars shall be subscribed to the capital stock of said bank, the corporators named in Section 1, or any three of them, on such notice as they may deem sufficient, not, however, less than ten days, shall call a meeting of such subscribers, to be held at Edgefield Court House, for the purpose of organizing said corporation; and at such meeting, and at all future meetings of the stockholders of said bank, the shares of the capital stock may be represented in person or by proxy. The holder of the shares of the capital stock of said bank shall be entitled to one vote for each share. The subscribers to said

Books of sub-
scription.

Organization.

Representa-
tion of stock.

<p>A. D. 1895. <u>Directors.</u></p>	<p>stock, at their meeting to be held as aforesaid, shall elect from among themselves nine Directors of said corporation, who shall hold office for one year, and until their successors shall be duly elected; and thereafter there shall be annual meetings of the stockholders of said bank, at which Directors shall be chosen, whose tenure of office shall be as above provided for the first Board of Directors. The Directors chosen or elected at any such meeting shall, from among themselves, elect a President and Vice President, to act as such during the term of office of such Directors, and they shall perform such duties and exercise such powers as may be prescribed by the by-laws of said corporation, or as shall be incident to their respective offices. Every Director, to be eligible to that office, must own in his own right at least ten shares of the capital stock of said bank during the whole time that he holds the office of Director.</p>
<p>President and Vice President.</p>	
<p>Who may be Director.</p>	
<p>Banking powers.</p>	<p>SEC. 4. The said corporation may receive and pay out the lawful currency of the country, deal in exchange, gold and silver coin, bullion, uncurrent paper, public and other securities, and stocks of other corporations: <i>Provided</i>, That not more than half the amount of the capital stock of said bank shall be invested in mortgages of real estate at any one time. The said corporation may purchase and hold real estate and personal property, and may take the same by way or mortgage or pledge to secure loans or debts due to the said corporation, in whole or in part, and may sell and dispose of the same; and may purchase at its own sales any property, real or personal, mortgaged or pledged to it as security for loans by it or debts due to it when the same is sold under said mortgages or pledges for the satisfaction of any such debts or loans. It may discount bills or notes, drafts, bonds, or other evidences of debt, and lend money on such terms as may be agreed upon, subject to the usury laws of this State. It may receive on deposit moneys deposited with it on such terms as may be agreed upon with depositors, and issue certificates therefor negotiable and assignable in such way as may be inserted in the same. Said corporation may sue and be sued, plead and be impleaded, in any Court in this State; may adopt and use a corporate seal, and may alter the same at pleasure; may adopt all such by-laws for the general management and direction of the business affairs of said corporation, not inconsistent with the laws of this State, as may be deemed proper, and have all such other rights and privileges as are or may be conferred on corporations by the general laws of this State.</p>
<p>Limit of mortgage securities.</p>	
<p>Property rights.</p>	
<p>Loans and discounts.</p>	
<p>Deposits.</p>	
<p>Other powers.</p>	

SEC. 5. The stockholders of said corporation shall be liable to the amount of their respective share or shares in the same for all its debts and liabilities, upon note, bill or otherwise ; and no Director or other officer of said corporation shall borrow any money from said corporation. And if any Director or other officer shall be convicted, on indictment, of directly or indirectly violating this Section, he shall be punished by fine or imprisonment, at the discretion of the Court.

A. D. 1885.

Liability of stockholders.

Restriction upon Directors.

Penalty.

SEC. 6. The Directors of said bank may make and change by-laws, not inconsistent with law, regulating the manner in which the stock of said bank shall be transferred, its Directors elected or appointed, its property transferred, its general business conducted, and the privileges granted to it by law exercised and enjoyed. The Directors may appoint all necessary officers and employees of said corporation, fix their compensation, and take security for the faithful discharge of their respective duties ; prescribe the manner of paying for the stock of said corporation and the transfer thereof, and may from time to time prescribe such penalties for the non-payment of subscriptions to the capital stock of the corporation as they may deem proper, and the same, together with any unpaid installments on such subscriptions, may be recovered in any Court having jurisdiction of the aggregate amount so due, or the stock may be sold for cash after twenty days' notice, advertised in any newspaper published in the Town of Edgefield ; and if at any such sale the sum bid should not be sufficient to satisfy and discharge the amount so due, together with the costs and charges incident to such sale, the subscriber in default shall be liable for any deficiency, and the same may be recovered in the name of the corporation in any Court having jurisdiction. The books, papers and accounts of said bank shall be open to inspection under such regulations as may be prescribed by law.

By-laws.

Officers and employees.

Shares of stock.

Sale of stock.

Deficiency.

Books open for inspection.

SEC. 7. This Act shall take effect from and immediately after the date of its approval.

When to take effect.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,

Governor.

A. D 1885.

No. 44.

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT REQUIRING ALL CONVICTS HIRED FROM THE PENITENTIARY TO BE AND REMAIN UNDER A SWORN OFFICER AND GUARDS APPOINTED BY AND RESPONSIBLE TO THE SUPERINTENDENT OF THE PENITENTIARY, AND REGULATING THE HIRING OF SUCH CONVICTS," APPROVED THE 24TH DAY OF DECEMBER, 1884, AND TO FURTHER REGULATE THE EMPLOYMENT OF CONVICTS, AND TO AUTHORIZE THE SUPERINTENDENT AND BOARD OF DIRECTORS OF THE PENITENTIARY TO PURCHASE OR LEASE LAND.

SEC. 1.—Repeal of Act of 1884.

SEC. 2.—Contracts for work and hiring of convicts. Physicians.

SEC. 3.—Directors may lease or purchase farms.

SEC. 4.—Violations of law to be prosecuted.

SEC. 5.—Violation of law regulating convicts, a misdemeanor. Convicts to be witnesses.

Repeal of Act
of 1884.

18 Stat. 815.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act requiring all convicts hired from the Penitentiary to be and remain under a sworn officer and guards, appointed by and responsible to the Superintendent of the Penitentiary, and regulating the hiring of such convicts," approved the 24th day of December, 1884, be, and the same is hereby, repealed.

Contracts for
working and
hiring con-
victs.

SEC. 2. That the Superintendent and Board of Directors of the Penitentiary be, and they hereby are, authorized to make contracts for the performance of specific work, such work to be done entirely under the control and direction of the officers of the Penitentiary. Also to hire out the convicts under the provisions of the laws in force at the time of the passage of the Act of the 24th day of December, 1884, (18 Statutes, 815,) and such other rules and regulations as they may adopt to secure the well being and humane treatment of the convicts. And that they be authorized to employ a physician, to be nominated by the Surgeon of the Penitentiary, resident in the neighborhood, to have medical supervision of squads of fifty or more convicts, such physician to be paid out of funds of the Penitentiary, and to report weekly to the Surgeon of the Penitentiary, the Superintendent and Board of Directors to have regard to such expense in fixing the compensation for the hire of said convicts.

Physician to
be employed.

May purchase
or lease farms.

SEC. 3. That the Superintendent and Board of Directors of the Penitentiary be, and they hereby are, authorized, in their

discretion, to purchase or lease, out of the surplus earnings of the Penitentiary, one or more farms in any part of the State, due regard being had to the reasonable healthfulness of the locality.

A. D. 1885.

SEC. 4. It shall be the duty of the Superintendent and Board of Directors, and they are hereby required, to prosecute all violations of the law in reference to the treatment of convicts.

Violations of law to be prosecuted.

SEC. 5. That any contractor or any other person or persons who shall violate the provisions of any law regulating the hiring of convicts shall be held guilty of a misdemeanor, and, on conviction thereof, shall be punished by imprisonment not exceeding five years, or fine not exceeding five hundred dollars, or both, in the discretion of the Court, and in all such prosecutions any convict shall be a competent witness in behalf of the State.

Misdemeanor.

Punishment.

Convicts may be witnesses.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND SECTION THIRTEEN HUNDRED AND SIXTY-TWO OF THE GENERAL STATUTES, RELATING TO CORPORATIONS ORGANIZED UNDER CHARTERS. No. 45.

SEC. 1.—Section 1362 of General Statutes, as to liability of stockholders, amended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section thirteen hundred and sixty-two of the General Statutes be, and the same is hereby, amended so as to read as follows:

Gen. Stat.
§ 1362, amended.

SECTION 1362. It shall constitute a part of the charter of every corporation, already in existence under Act of Assembly of this State, either general or special, passed since the adoption of

Section 1362 as amended.

A. D. 1885. the present Constitution, or which may be at any time hereafter created under or by virtue of any Act of Assembly, either general or special, unless some other liability shall be or has been imposed on the stockholders thereof under such charter, in which case the liability shall be only such as is specified in such charters, that each stockholder in said corporation shall be jointly and severally liable to the creditors thereof in an amount, beside the value of his share or shares, not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditor was created: *Provided*, That such demand shall have been payable within one year: *Provided*, also, That proceedings to hold such stockholder liable therefor shall be commenced within two years after the debt becomes due and whilst he remains a stockholder therein, or within two years after he shall have ceased to be such stockholder: *Provided*, further, That persons holding stock in such companies as executors, administrators, or by way of collateral security, shall not be personally subject to the liabilities of the stockholders under the foregoing provisions, but the person pledging such stock shall be liable as a stockholder, and the estates and funds in the hands of such executors or administrators shall be liable in their hands, in like manner and to the same extent as the deceased testator or intestate, or the ward or person interested in such trust fund, would have been if they had, respectively, been living and competent to act and hold the stock in their own names.

Liability of stockholders of corporations.

Provisoos.

Trustees and bailees.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

OF SOUTH CAROLINA.

77

AN ACT TO AMEND THE CHARTER OF THE TOWN OF SUMMER- VILLE.

A. D. 1885.

No. 46.

- Sec. 1.--Incorporation. Name and limits.
- Sec. 2.--Intendant and Wardens. Quorum.
- Sec. 3.--Electors.
- Sec. 4.--Officers of election. Registration.
- Sec. 5.--Conduct of the elections.
- Sec. 6.--Canvass of the returns. Protests and contests.
- Sec. 7.--Installation of Council.
- Sec. 8.--Filling vacancies.
- Sec. 9.--Intendant and his powers. Appeals.
- Sec. 10.--The Town Council and their powers.
- Sec. 11.--Taxation.
- Sec. 12.--Marshals and their duties.
- Sec. 13.--Nuisances. Ordinances.
- Sec. 14.--Penalty for misfeasance or non-feasance.
- Sec. 15.--Repealing clause. How long of force.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all citizens of this State who have resided therein twelve (12) months, and who have resided six (6) months within the corporate limits of the town, shall be deemed, and are hereby declared, a body politic and corporate, and the said corporation shall be called and known by the name of "The Town of Summerville," and its corporate limits shall be comprised within a line running as follows: Commencing at the first culvert North of the twenty-two (22) mile post on the South Carolina Railway, running Westward at right angles with said railroad until it meets the boundary line of Old Summerville, and along the line to Rasher's Branch to the Saw Mill Branch; thence Eastward along the Saw Mill Branch to the South Carolina Railroad track; thence along the South Carolina Railway to the boundary line of New Summerville according to Detmold's plat; thence Eastward along the boundary line of New Summerville back to the South Carolina Railway track, and thence to the starting point.

SEC. 2. The said town shall be governed by an Intendant and six (6) Wardens, who shall be citizens of the State, twenty-one (21) years of age, and have resided at least twelve (12) months within the corporate limits of the town immediately preceding the day of their election. The said Intendant and Wardens shall be known and called the "Town Council of Summerville," and shall be elected at the same time on the second (2d) Wednesday in May of every second year, and shall hold their offices for

- A. D. 1885.** the term of two years and until their successors shall have been duly elected and qualified. The next election shall take place on the second Wednesday in May, A. D. 1887. The Intendant and three (3) of the Wardens, or any four (4) of the Wardens, shall constitute a quorum for the purpose of transacting business or exercising the powers herein granted to the "Town Council of Summerville," or the said Intendant and Wardens.
- Quorum.**
- Electors.** SEC. 3. That every male citizen of this State of the age of twenty-one (21) years, who shall be the owner of a lot within the corporate limits of said town, with a dwelling house thereon, and having an estate in *fee simple* in said lot previous to and at the time of the election for any member or members of the said Town Council, shall be entitled to vote at such election; and all male inhabitants of the town who have resided within the corporate limits thereof for six (6) months next immediately preceding such election and who are qualified to vote for members of the General Assembly shall be entitled to vote upon delivering up their certificates of registration to the Managers of Election.
- Officers, and conduct of election.** SEC. 4. For the purpose of conducting the election for members of the Town Council, it shall be the duty of the Governor, at least sixty (60) days before such election, to appoint three (3) electors, who shall constitute a Board of Commissioners of Election for the Town of Summerville, who shall hold their office, unless removed by the Governor, until sixty days before the next election for members of the Town Council of said town, and until their successors are duly elected and qualified. The Commissioners of Election shall appoint three (3) Managers of Election, who shall, on the first Wednesday in March immediately preceding the second Wednesday in May appointed for holding such election, for two consecutive days, at or near the depot of the
- Registration.** South Carolina Railway Company, open lists for the registration of the qualified voters of the town who are not entitled to vote upon a property qualification, between the hours of seven A. M. and twelve M., and again between the hours of three P. M. and six P. M. The said Managers shall elect one of their number
- Oath of Managers.** Chairman, who, after taking the oath of office prescribed by the Constitution of the State, Section 30, Article 2, before any person qualified to administer an oath, shall administer the same to the other two Managers. The Managers shall administer to
- Oath of person registering.** every person offering to register the following oath: "You do solemnly swear that you are duly qualified to vote for Members

of the Legislature of the State of South Carolina, and that you have resided within the corporate limits of this town for the four months last past, and that it is your intention to continue to reside within the said corporate limits until the day for holding the ensuing election, and that you have truly stated your name and place of residence. So help you God." Upon the Managers being satisfied of such person's right to register, they shall duly register his name and place of residence, and issue to him a certificate of his registration, which certificate shall state the name of the voter, the date of registration, his place of residence, and shall be signed by the Chairman of the Board of Managers and by their Clerk. The registration list, when completed, shall be duly sealed up and delivered by the said Managers to the Commissioners of Election, together with all books and papers that may pertain to such registration, and the same shall be kept by the said Commissioners unopened, and shall be so returned to the said Managers on the day of the said election.

A. D. 1885.

Certificate of registration.

Lists and books.

Time and place of elections.

SEC. 5. On the second (2d) Wednesday in May appointed for holding the election for members of the Town Council, the Managers of Election shall open the polls, at or near the depot of the South Carolina Railway Company, at six A. M., and keep the same open until six P. M. Every person entitled to vote upon a property qualification, as set forth in Section 3 of this Act, shall be allowed to vote upon taking the following oath:

Oath of voter.

"I do solemnly swear that I am duly qualified to vote at this election for the members, (or member, as the case may be,) of the Town Council of Summerville. So help me God." If any person's right to vote on a property qualification is denied, the Managers shall require some evidence of his title to the property giving the qualification. No person, except those who vote on a property qualification, shall be allowed to vote who does not deliver to the Managers his certificate of registration, to be by them destroyed. If the right of any person to vote be challenged, the Managers shall decide the matter summarily, and are hereby authorized to examine such person, under oath, as to his right to vote. Every person proposing to vote shall be required by the Managers to vote his ballot enclosed in an envelope to be furnished by the Managers. Upon the closing of the polls, the Managers shall proceed to count the votes publicly, and every envelope which shall contain more than one ballot shall, with whatever it contained, be thrown out and not counted. They shall make a return of the number of votes cast for each

Proof of right to vote.

Ballots.

Determining the result.

Return.

- A. D. 1885.** individual, and deliver the same, together with the poll and register lists, ballot box and ballots, to the Commissioners of Election.
- Commissioners of election.** SEC. 6. The Commissioners of Election shall take and subscribe the oath of office prescribed by the Constitution, Section 30, Article 2; and at their first meeting shall elect one of their number as Chairman, and also some person as Clerk, who shall
- Clerk.** likewise be Clerk of the Board of Managers. The Commissioners and the Managers aforesaid are hereby empowered to
- Their duties.** administer all oaths that may be required. It shall be the duty of the Commissioners of Election to furnish the Managers of Election the ballot box, envelopes, necessary blanks, returns, instructions, and whatever may be needed for conducting the election. The expenses of the election shall be paid for by the town. The Commissioners are hereby vested with power to keep the peace the whole time the polls are open, both on the days of registration and on the day of election, and all peace officers at the polls shall carry out their instructions. Within two (2) days after the election the Commissioners shall meet at the
- Canvassing the returns.** Town Hall, and proceed to publicly canvass the returns of the Managers and declare the persons elected, and the offices to which they may be elected. It shall be the duty of the Commissioners to decide any protest or contest that may be made, subject to appeal to the Circuit Court on any question of law that may be made, subject to review by the Supreme Court.
- Protests and contests.**
- Oath of Council.** SEC. 7. The members of the Council elected shall, on the Monday succeeding the election, upon taking the oath of office prescribed by the Constitution, the oath against dueling, and the following oath, to wit: "I do solemnly swear that, as Intendant (or Warden) of the Town of Summerville, I will faithfully and impartially, to the best of my ability, exercise the trust reposed in me, and use my best endeavors to preserve the peace and carry into effect, according to law, the purposes for which I have been elected, so help me God," be duly inducted into office and forthwith enter upon the discharge of their duties.
- Induction into office.**
- Filling vacancies.** SEC. 8. In case a vacancy occurs in the office of Intendant, or any of the Wardens, by death, resignation or otherwise, an election to fill such vacancy shall be held by the appointment of the Wardens, or by the Intendant and Wardens, or Warden if there be only one, ten days' notice being given of the time when and the place where a registration of the voters will be taken, and

that such election will be held twenty days thereafter; said election to be conducted under the regulations hereinbefore provided for the regular election of members of the Town Council.

A. D. 1885.

SEC. 9. That the Intendant of the town shall have the power and authority of a Trial Justice as to criminal matters within the corporate limits of said town, and shall have full power and authority to hear and determine the charges made against every and all person or persons arrested and brought before him for violation of any of the ordinances of the town or any breach of the peace, and shall be empowered to punish such person or persons, if found guilty of said charges, by fine or imprisonment in the town lockup or the County Jail: *Provided*, That said fine shall not exceed the sum of fifty (50) dollars, or said imprisonment the term of thirty (30) days. That the Intendant shall appoint one of the Wardens to act as Intendant during any inability on his part to discharge the duties of his office on account of his absence from the town or otherwise, who, while so acting, shall be vested with the power and authority herein granted to the Intendant. That any person so fined or imprisoned may appeal to the Court of General Sessions upon entering into recognizance, with sufficient surety, for his appearance at Court.

Powers of Intendant.

Fine and imprisonment.

Intendant *pro tem*.

Appeal to General Sessions.

Council meetings.

Powers.

Property rights.

SEC. 10. The members of the Council shall meet in Council on the first Wednesday in every month and whenever at other times they may be summoned by the Intendant so to meet. They shall have and keep a common seal, which shall be affixed to all ordinances passed by them, and they may sue and be sued, plead and be impleaded, in any of the Courts of this State. They may purchase, hold, possess and enjoy to them and their successors in perpetuity, or for a term of years, any estate, either real or personal or mixed, and to sell, alien and convey the same at will. The said Town Council shall have full power and authority to make, ordain and establish all rules, by-laws, regulations or ordinances respecting the roads, streets, markets, police, granting of licenses for selling spirituous liquors, for carrying on any trade, craft, calling, business or profession within the corporate limits, and in general every other ordinance that shall appear to them requisite and necessary for the security, welfare and convenience of the town or for preserving the health, peace, order and good government thereof. That the said Council shall be authorized and empowered to provide against the violation of any and all of the ordinances of said town by

Streets, markets, police and licenses.

- A. D. 1885.** imposing punishment for the same by fine or imprisonment in the town lockup or the County Jail: *Provided*, No fine shall exceed the sum of fifty (50) dollars, or term of imprisonment be longer than thirty (30) days. That it shall be the duty of the Town Council to keep all roads, ways and streets within the corporate limits of the town open and in good repair, and shall provide for the punishment of all and every person or persons who may in any way whatsoever willfully obstruct the streets or public ways, or render in any way the traveling thereon dangerous or difficult.
- Punishment.**
- Streets to be kept in repair.**
- Taxation.** SEC. 11. That the said Town Council shall be authorized and empowered to pass all ordinances for the imposition of taxes upon real and personal property within the corporate limits and for the collection of the same, not exceeding one per cent.; that all taxes assessed or levied on real estate in said town by said Town Council shall constitute a prior lien on said real estate, except for taxes due the State, and the Counties respectively in which said town is situated, for a period of two years from the date the said tax became due and payable.
- Lien.**
- Marshals.** SEC. 12. The Town Council shall be authorized to elect or appoint a Chief Marshal, and so many assistant Marshals as they may deem necessary, who shall be sworn in and invested with the authority of Constables. It shall be their duty to arrest and commit to the lockup any person or persons who may be guilty of a willful violation of any ordinance of the town or of riotous or disorderly conduct or of a breach of the peace within the corporate limits of the town, and report the same to the Intendant as soon as possible after the arrest.
- Their duties.**
- Nuisances.** SEC. 13. That the Town Council shall have full power and authority to abate all nuisances within the corporate limits of said town, and to appoint a Board of Health for said town, and to pass all such ordinances as may be necessary to define the powers and duties of such Board.
- Ordinances.**
- Penalty for misfeasance or nonfeasance.** SEC. 14. That for the willful violation or neglect of duty, malpractice, abuse or oppression, the said Intendant and Wardens, jointly and severally, shall be liable to punishment by fine not exceeding one hundred dollars, besides being liable for damages to any person injured by such default on the part of such Intendant and Wardens.
- Repealing clause.** SEC. 15. That all Acts or parts of Acts inconsistent with or supplied by this Act are hereby repealed; and that this Act shall

continue of force for the term of twenty years and until the end of the session of the Legislature then next ensuing.

A. D. 1885.

Of force for 21 years.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO SECURE THE RIGHTS OF PERSONS HAVING AN INTEREST IN LANDS FORFEITED FOR TAXES," APPROVED DECEMBER 24, 1883, AS TO THE MODE OF SERVING SUMMONS.

No. 47.

Authorizes service by publication on persons not found.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to secure the rights of person having an interest in lands forfeited for taxes," approved December 24, 1883, be, and the same is hereby, amended by adding to the first Section thereof the following proviso: "*Provided*, That when the possible former owner of said lands cannot be found within the State, the service of the summons herein required may be made by publication as now provided for the commencement of civil actions."

Act of 1883,
18 Stat. 541,
amended.

Authorizes
service by pub-
lication.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.

No. 48.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF INMAN, IN SPARTANBURG COUNTY," APPROVED FEBRUARY 9, 1882.

SEC. 1.—Amendment as to Intendant and Wardens. Electors.
SEC. 2.—When to take effect.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to incorporate the Town of Inman, in Spartanburg County," approved February 9th, 1882, be, and the same is hereby, amended, so as to read as follows:

Act of 1882, § 2,
18 Stat. 123,
amended.

Intendant and
Wardens.

When elected.

Electors.

When to take
effect.

SECTION 2. That said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States and of this State, and shall have been residents of the said town for sixty days immediately preceding the election, and who shall be elected by the qualified voters of the said town on the first Monday in March, A. D. 1886, and every year thereafter on the first Monday in March, ten days' public notice thereof being previously given; and all male inhabitants of the age of twenty-one years, citizens of the State, who shall have resided in said town for sixty days immediately preceding the election shall be entitled to vote for said Intendant and Wardens.

SEC. 2. *Be it further enacted*, That this Act shall take effect from the date of its approval.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO PREVENT AND PUNISH THE ADULTERATION OF
FOOD AND DRINK, AND THE SALE OF UNFIT AND UNWHOLE-
SOME ARTICLES OF FOOD AND DRINK.

A. D. 1885.

No. 49.

SEC. 1.—The sale or having for sale prohibited.

SEC. 2.—The adulteration for purposes of sale prohibited.

SEC. 3.—Repealing clause.

SEC. 4.—To go into immediate effect.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That whoever shall knowingly sell or expose, or offer for sale, or have in his possession with intent to sell, or offer for sale, any kind of meat or vegetables, or fruits or other articles of provisions, whether for food or drink, that are diseased, corrupted or unwholesome for food or drink, shall be guilty of a misdemeanor, and, upon conviction thereof, in a Court of competent jurisdiction, shall be punished by fine or imprisonment, not exceeding one hundred dollars' fine or thirty days' imprisonment. And the aforesaid articles shall be forfeited and destroyed.

Sale or having
for sale, pro-
hibited.

Punishment.

SEC. 2. Whoever shall fraudulently adulterate or cause to be adulterated for the purpose of sale, or have in his possession with intent to sell or offer for sale, any article or kind of food or drink so adulterated, shall be guilty of a misdemeanor, and, upon conviction thereof, in a Court of competent jurisdiction, shall be punished by fine or imprisonment, not exceeding one hundred dollars' fine or thirty days' imprisonment. And the articles so adulterated shall be forfeited and destroyed.

Adulteration
for purposes of
sale.

Punishment.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act be, and are hereby, repealed.

Repealing
clause.

SEC. 4. This Act shall go into effect upon its approval.

To go into
effect at once.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.

No. 50.

AN ACT TO PERMIT CITIZENS OF GREGG TOWNSHIP, IN AIKEN COUNTY, TO PAY A COMMUTATION TAX IN LIEU OF ALL ROAD DUTY.

SEC. 1.—Commutation to relieve from road duty.

SEC. 2.—How and where expended.

SEC. 3.—Repealing clause.

Commutation
tax of \$1.

Relieves per-
son from road
duty.

How and
where expend-
ed.

Repealing
clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons liable to perform road duty in Gregg Township, of Aiken County, of this State, be, and they are hereby, authorized to pay to the County Commissioners of Aiken County a commutation tax of one dollar, in lieu of the time which said persons might be required to labor upon the public roads; and whenever any of such persons liable to road duty shall pay the commutation tax herein provided for, it shall be the duty of the County Commissioners to furnish such person with a certificate showing that the commutation tax has been paid, which shall relieve the person so paying from road duty for twelve months next succeeding that in which said commutation tax is paid.

SEC. 2. That the County Commissioners shall keep an account of all moneys so paid in, and shall apply the same exclusively to repairing the highways of Gregg Township, or highways where said persons are now required by law to work, by contract or otherwise, as may be deemed most expedient.

SEC. 3. That all Acts or parts of Acts inconsistent with this Act are hereby repealed.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,

Governor.

AN ACT TO AMEND SECTION 307 OF THE GENERAL STATUTES,
IN RELATION TO THE SALE OF LANDS BY THE COMMISSIONERS OF THE SINKING FUND.

A. D. 1885.

No. 51.

SEC. 1.—Section 307, General Statutes, amended, removing restriction on price.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 307 of the General Statutes of this State be amended by striking out the words “*Provided, That* no such sale be for a less sum than the accumulated taxes, costs and penalties.” So that the said Section, when amended, shall read as follows: All lands now or hereafter upon the forfeited land record which have been offered for sale under Section 292, and which have not been sold for want of bidders, nor redeemed, as provided by law, shall be treated as assets of the State in charge of the Sinking Fund Commission and by them sold at such time and after such advertisement, upon such terms as they may deem most advantageous to the State: *Provided, That* any time before any such sale shall be actually made, the owners of any piece or parcel of such land, or those claiming under or through such owners, or others having a legal and equitable interest therein, shall have the right to redeem any piece or parcel of the lands so forfeited, by paying in gold, silver, United States Treasury notes, or National Bank notes, the full amount of all accumulated taxes, costs and penalties due and unpaid thereon up to the date of such payment.

Gen. Stat. § 307
amended.

Section as
amended.
Forfeited
lands to be
sold.

Right of re-
demption.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.

JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885. **AN ACT TO CHARTER THE BENNETTSVILLE AND GIBSON RAILROAD COMPANY.**

No. 52.

SEC. 1.—Incorporation. Name. Rights. Term of charter.

SEC. 2.—Route of road.

SEC. 3.—Capital stock. Books of subscription.

SEC. 4.—Organization.

SEC. 5.—Powers.

SEC. 6.—Constitutional limitation.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That F. B. Gibson, L. B. McLaurin, Simeon Gibson, W. B. Adams, Henry C. Newton, W. A. Hinshaw, T. N. Edens, E. W. Goodwin, John F. Everett, Jno. D. Murchison, John R. Parker, Raiford Gibson and Jno. M. Jackson, and their associates and successors, be, and are hereby declared to be, a body politic and corporate, under the name and style of the Bennettsville and Gibson Railroad Company, and by such name may sue and be sued, plead and be impleaded, in any Court of justice in this State, and shall have corporate existence, subject, however, to the conditions hereinafter specified, for the period of twenty-one years.

Term of charter.

SEC. 2. That said company is hereby authorized to construct a line of railroad from the North Carolina line, at or near Gibson Station in Richmond County, North Carolina, to the Town of Bennettsville in Marlboro County in this State, and from said Town of Bennettsville to Clio, and to Little Rock and Marion Court House in Marion County, or to Florence in Darlington County.

SEC. 3. That the capital stock of said company shall be one hundred thousand dollars, and may be increased by an amount not exceeding two million dollars, in shares not less than one hundred dollars each; and for the purpose of obtaining subscriptions to the same the said company is hereby authorized to open books at such times and places as they may deem advisable.

Books of subscription.

SEC. 4. That when the sum of thirty thousand dollars shall have been subscribed to said capital stock the said company may meet and organize by the election of suitable officers, and may adopt such by-laws, rules and regulations, not repugnant to law, as they may deem proper for the government of said company.

Organization.

SEC. 5. All the privileges and powers incident to such corporations are hereby conferred upon said company.

Powers.

Conditional limitation.

SEC. 6. That the said company are allowed two years in which to have the said road graded from the North Carolina line to

Bennettsville, and in case of failure to perform this condition this charter shall be forfeited.

A. D. 1885.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.

JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND SECTION 789 OF THE GENERAL STATUTES, No. 53.
PROVIDING FOR THE APPOINTMENT OF A SPECIAL MASTER
UNDER CERTAIN CIRCUMSTANCES.

Extends the power to a Judge at Chambers.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 789 of the General Statutes be, and the same is hereby, amended by striking out the words "during a term of the Court," in the first and second lines thereof, and by striking out the words "the presiding Judge," in the third line thereof, and inserting in lieu thereof the words "the Court or a Judge thereof." So that the said Section as amended shall read :

Gen. Stat. § 789
amended, ex-
tending the
power to a
Judge at
Chambers.

SECTION 789. In case of a vacancy in the office of Master, or in case of the disability of the Master from interest or any other reason, the Court or a Judge thereof may appoint a Special Master in any case, who shall as to such case be clothed with all the powers of Master.

Section as
amended.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.

JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.

No. 54.

AN ACT TO INCORPORATE THE TOWN OF GRAHAMS, IN THE
COUNTY OF BARNWELL.

- SEC. 1.—Incorporation. Name and limits.
 SEC. 2.—Intendant and Wardens. Day of election. Electors.
 SEC. 3.—Conduct and determination of election.
 SEC. 4.—Vacancies.
 SEC. 5.—Municipal powers.
 SEC. 6.—Nuisances. Streets and street duty.
 SEC. 7.—Licenses for billiard tables and shows.
 SEC. 8.—Sidewalks.
 SEC. 9.—Disorderly conduct. Marshals and *posse comitatus*.
 SEC. 10.—Other licenses. Taxes.
 SEC. 11.—Auction sales.
 SEC. 12.—Public Act, and in force until amended.
 SEC. 13.—Repealing clause.

- SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
- Incorporation.** from and after the passage of this Act, all citizens of this State having resided sixty days in the Town of "Grahams" shall be deemed, and are hereby declared to be, a body politic and corporate; and the said town shall be called and known by the
- Name and limits.** name of "Grahams," and its corporate limits shall extend one-half mile in each direction from the railroad depot in said town.
- Intendant and Wardens.** SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States and shall have been residents of the said town sixty days immediately preceding their election, who shall be elected on the first
- Election day.** Monday in September, 1886, and every year thereafter on the first Monday in September, ten days' public notice thereof being previously given; and that all male inhabitants of the age of
- Electors.** twenty-one years, citizens of the State, and who shall have resided in the said town for sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens.
- Conduct and determination of elections.** SEC. 3. That the election for Intendant and Wardens of the said town shall be held in some convenient house, or some other convenient public place in the said town, from nine o'clock in the morning until three o'clock in the afternoon, and when the polls shall be closed the Managers shall forthwith count the votes and proclaim the election, and give notice, in writing, to the persons elected. The Intendant and Wardens shall appoint three Managers to hold the ensuing and any subsequent election. Whenever there shall not be any Intendant or Wardens, or Intendant and Warden, from any cause whatever, it shall be the

duty of the Clerk of the Court of Barnwell County to order such election forthwith, and appoint three Managers for the same. The Managers in each case shall, before they open the polls for said election, take an oath fairly and impartially to conduct the same. And that the Intendant and Wardens, before entering upon the duties of their respective offices, shall take the oath prescribed by the Constitution of this State, and also the following oath, to wit: "As Intendant or Warden of the Town of Grahams, I will equally and impartially, to the best of my ability, exercise the trust reposed in me; and I will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes for which I have been elected. So help me God." The said Intendant and Wardens shall hold their offices from the time of their election until the first Monday in September ensuing, and until their successors shall be elected and qualified.

A. D. 1885.

Oath of Managers and of Intendants and Wardens.

Term of office.

SEC. 4. That in case a vacancy should occur in the office of the Intendant or any of the Wardens, by death, resignation, removal or otherwise, or in case of a tie in said election, an election to fill such vacancy shall be held by the appointment of the Intendant and Wardens (or Warden), as the case may be, or the Clerk of the Court of Barnwell County, if there should be no Intendant or Wardens, ten days' public notice thereof being previously given; and in case of the sickness or temporary absence of the Intendant, the Wardens forming a Council shall be empowered to elect one of their number to act in his stead during the time.

Vacancies.


SEC. 5. That the Intendant and Wardens, duly elected and qualified, shall, during their term of service, severally and respectively, be vested with all the jurisdiction and powers of Trial Justices within the limits of said town as to all violations of any of the municipal ordinances thereof; and the Intendant shall and may, as often as he may deem necessary, summon the Wardens to meet in Council, any two of whom, with the Intendant, may constitute a quorum to transact business, and they shall be known by the name of the Town Council of Grahams; and they and their successors hereafter to be elected may have a common seal, which shall be affixed to all the ordinances; and the said Town Council shall have authority to appoint from time to time, as they see fit, such and so many proper persons to act as Marshals or Constables of the said town as the said Town Council may deem necessary and expe-

Powers of Trial Justices.

Council meetings.

Common seal.

Marshals, their powers and duties.

- A. D. 1885.  dient for the preservation of the peace, good order and police thereof, which persons so appointed shall, within the corporate limits of said town, have the powers, privileges and emoluments and be subject to all the obligations, penalties and regulations provided by law for the office of Constable, and shall be liable to be removed at the pleasure of said Council; and the said Town Council shall have power to establish or to authorize the
- Market. establishment of the market house in said town; and the said Town Council shall have full power and authority under their
- Rules and ordinances. corporate seal to make all such rules, by-laws and ordinances respecting the streets, roads, market house, and the business thereof, and the police system of the said town, as shall appear to them necessary and proper for the security, welfare and convenience, and for preserving health, order and good government within the same; and the said Town Council may impose fines for offenses against their by-laws and ordinances, and appropriate the same to the public use of said town; and the said Council shall have the same power which Trial Justices now
- Fines. have to compel the attendance of witnesses, and require them to give evidence upon the trial before them of any person for a violation of any of these by-laws or ordinances; but no fine above the sum of twenty dollars shall be collected by the Town Council, except by suit in the Court of Common Pleas: *And*
- Witnesses. *provided, also,* That no fine shall exceed fifty dollars, and, also, that nothing herein contained shall authorize the said Council
- Limit to fines. to make any by-laws or ordinances inconsistent with or repugnant to the laws of this State; and all the by-laws, rules and ordinances the said Council may make shall at all times be subject to revisal or repeal by the General Assembly of this State.
- Ordinances to be subject to laws of the State.
- Nuisances. SEC. 6. That the said Intendant and Wardens shall have full power to abate and remove nuisances in the said town, and it shall
- Streets. also be their duty to keep all roads, ways and streets within the corporate limits of the said town open and in good repair; and for that purpose they are invested with all the powers heretofore granted to Commissioners of Roads, and shall have full power to classify and arrange the inhabitants of said town liable
- Street duty. to street, road or other public duty therein, and to force the performance of such duty, under such penalties as are now or shall hereafter be prescribed by law: *Provided,* That the said
- Right of compounding. Town Council may compound with persons liable to perform such duty upon such terms and on the payment of such sums

as may be established by laws or ordinances: *And provided,* A. D. 1885.
also, That the individuals who compose the said Council shall Exemption of
 be exempt from the performance of road and police duty within Council.
 the corporate limits of said town.

SEC. 7. That the power to grant or refuse license for billiard Billiard tables
 tables, and the said Intendant and Wardens shall have the full and shows.
 and only power to impose a tax on all shows or exhibitions for
 gain or reward within the limits; and all money paid for
 license for billiard tables, and the tax for all shows, for gain or
 reward, within said limits, shall be appropriated to the public Licenses to be
 use of said corporation. for public use.

SEC. 8. That the said Town Council of Grahams shall have Sidewalks.
 full power and authority to require all persons owning a lot or
 lots in said town to make and keep in good repair sidewalks in
 front of said lot or lots, whenever the same shall front or adjoin
 any of the public streets of said town, if, in the judgment of
 the Council, such sidewalks shall be necessary, the width
 thereof, and the manner of construction, to be designated and
 regulated by the Town Council; and for default or refusal to
 make and keep in repair such sidewalks, the Town Council may Penalty.
 cause the same to be made or put in repair, and require the
 owner to pay the price of making or repairing: *Provided,* That
 such contracts for making or repairing be let to the lowest
 bidder.

SEC. 9. That the said Town Council of Grahams shall have Disorderly
 power to arrest and commit to Jail, or the guard house, for a conduct.
 space of time not exceeding twenty-four hours, and to fine not
 exceeding twenty dollars, any person or persons who shall be
 guilty of disorderly conduct in said town to the annoyance of
 citizens thereof, and it shall be the duty of the Marshal of the
 town to make such arrest, and to call to his assistance the *posse* Marshal and
comitatus, if necessary, and upon failure to perform such duty posse comitatus.
 he shall be fined in a sum not more than twenty dollars for each
 and every offense.

SEC. 10. That the said Town Council of Grahams shall have Licenses.
 power to grant or refuse licenses to parties within the limits of
 said town; and the parties to whom such licenses are granted
 shall be subject to such regulations as may, by ordinance, be
 established. They shall also have power to impose and collect
 an annual tax upon the assessed property of said town: *Pro-* Taxes.
vided, No tax shall be imposed in any one year to exceed the Limit.
 rate of twenty-five cents on each hundred dollars of such

- A. D. 1885. assessed property ; and that the money so raised shall be applied to the use of said town. The said Town Council shall have
- Enforcement.** power to enforce the payment of all taxes levied by the said Town Council, to the same extent and in the same manner as is now or hereafter shall be provided by law for the collection of the general State taxes.
- Auction sales.** SEC. 11. That the said Town Council of Grahams shall have power to regulate sales at auction within the limits of said town, and to grant licenses to auctioneers : *Provided*, Nothing herein contained shall extend to sales by Sheriff, Clerk of the Court, Judge of Probate, Coroner, executor or administrator, assignee in bankruptcy, or by any other person, out of the order, decree of any Court, Justice of the Peace or Magistrate.
- Proviso.**
- Public Act, in force until amended.** SEC. 12. That this Act shall be deemed a public Act and shall continue of force until amended or repealed.
- Repealing clause.** SEC. 13. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO RENEW AND AMEND THE CHARTER OF THE TOWN
OF ROCK HILL.

A. D. 1885.

No. 55.

- SEC. 1.—Incorporation. Name and limits.
 SEC. 2.—Intendant and Wardens. Election day. Electors. Registration.
 SEC. 3.—Elections. Oath of office. Refusal to serve.
 SEC. 4.—Vacancies.
 SEC. 5.—General municipal powers.
 SEC. 6.—Nuisances. Streets and bridges. Street duty.
 SEC. 7.—Opening and altering streets.
 SEC. 8.—Sidewalks.
 SEC. 9.—Auctions. Licenses. Taxes.
 SEC. 10.—Clerk and Treasurer. Settlement of old Council with new.
 SEC. 11.—Wooden buildings.
 SEC. 12.—Public scales and weighers.
 SEC. 13.—Binding force of ordinances.
 SEC. 14.—Public Act. When of force. Duration.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all citizens of this State, having resided twelve months within the State, and sixty days in the Village of Rock Hill, shall be deemed, and are hereby declared to be, a body politic and corporate; and the said town shall be called and known by the name of "Rock Hill," and its corporate limits shall extend over the area of a square each side whereof is one mile and the centre whereof is Gordon's Hotel.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be qualified voters, resident in said town, and who shall be elected on the second Thursday of January, 1887, and on the same day in each year thereafter, ten days' public notice thereof having been previously given. And that all male inhabitants of the age of twenty-one years, citizens of the State, and who shall have resided within the State twelve months and the said town sixty days immediately preceding their election, shall be entitled to vote for said Intendant and Wardens, paupers and persons under disabilities for crimes excepted. Each and every voter shall be required to register his name, under such regulations as may be deemed necessary by the Town Council, in a book which shall be provided for that purpose by said Council, which book shall be kept open during the month of December in each year; and all citizens failing so to register shall be disqualified from voting at said election for Intendant and Wardens.

SEC. 3. The said election shall be held at some convenient public place in the said town from ten o'clock in the morning until

A. D. 1885.

Declaration
of the result.

four o'clock in the afternoon, and when the polls shall be closed the Managers shall forthwith count the votes and declare the election, and give notice thereof in writing to the Intendant then in office, who shall within two days thereafter give notice, or cause the same to be given, to the persons duly elected. The Intendant and Wardens before entering upon the duties of their

Oath of office.

office shall, respectively, take the oath prescribed by the Constitution of the State, and also the following oath, to wit: "As Intendant (or Warden) of the Town of Rock Hill, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes for which I have been elected. So help me God." And if any per-

Penalty for
refusing to
serve.

son, upon being elected Intendant, or Warden, shall refuse to act as such, he shall forfeit and pay to the Council the sum of twenty dollars for the use of the said town: *Provided*, That no

Persons
exempt.

person who has attained the age of sixty years shall be compelled to serve in either of said offices, nor shall any other person be compelled to serve either as Intendant or Warden more than one year in any term of three years. The Intendant and Wardens, for the time being, shall always appoint a Board of

Managers of
Election.

Managers, consisting of three persons, to conduct the election, who, before they open the polls, shall take an oath fairly and impartially to conduct the same.

Vacancies.

SEC. 4. That in case a vacancy shall occur in the office of Intendant, or any of the Wardens, by death, resignation, removal, or otherwise, an election to fill such vacancy shall be held by order of the Intendant and Wardens, or a majority of the same, ten days' public notice being previously given; and in case of sickness or temporary absence of the Intendant, the Wardens forming the Council shall be empowered to elect one of the members to act as Intendant during the time.

Powers of
Trial Justice.

SEC. 5. That the Intendant and Wardens duly elected and qualified shall, during their term of office, severally and respectively, be vested with all the powers of Trial Justices in this State, within the limits of said village, so far as violations of municipal ordinances are concerned, and except for the trial of civil cases; and the Intendant shall and may, as often as is necessary, summons the Wardens to meet in Council, any three of whom, with the Intendant, shall constitute a quorum to transact business; and they shall be known as the Town Council of Rock Hill; and they and their successors in office, hereafter to be

Council meet-
ings.

elected, may have a common seal, which shall be affixed to all their ordinances; may sue and be sued, plead and be impleaded, in any Court of justice in this State, and purchase, hold, possess and enjoy to them in perpetuity, or for any term of years, any estate, real, personal or mixed, sell, alien or convey the same; and the said Town Council shall have authority to appoint from time to time, as they may see fit,* such and so many proper persons to act as Marshals or Constables of said town as said Council may deem necessary and expedient for the preservation of the peace, good order and police thereof, which persons so appointed shall, within the corporate limits of said town, have the powers and privileges, and be subject to all the obligations, penalties and regulations, provided by law for the office of Constable, and shall be liable to be removed at the pleasure of said Town Council; and the said Town Council shall have power to establish or authorize the establishment of a market house in said town, also to authorize the establishment of a guard house, and to prescribe suitable rules and regulations for keeping and governing the same; and the said Town Council, or the said Intendant and Wardens, in person, or any one or more of them, may authorize and require any Marshal of the town, or any Constable specially appointed for that purpose, to arrest and commit to the said guard house for a term not exceeding twenty-four hours before trial, or thirty days after trial, any person or persons who, within the corporate limits of said town, may be engaged in any breach of the peace, riotous or disorderly conduct, open obscenity, public drunkenness, or any conduct grossly indecent or dangerous to the citizens of said town, or any of them; and it shall be the duty of the Town Marshal or Constable to arrest and commit all such offenders when required to do so (and who shall have power to call to their assistance the *posse comitatus* if need be to aid in making such arrests, and upon the failure of such officers to perform such duty as required they shall severally be subject to such fines and penalties as the Town Council may impose upon them); and all persons so imprisoned shall pay the costs and expenses incident to their imprisonment, which said costs and expenses shall be collected in the same manner as is provided for the collection of fines imposed for the violation of ordinances, rules and regulations: *Provided*, That such imprisonment shall not exempt the party from the payment of any fine the Council may impose for the offense which he, she or they may have com-

A. D. 1885.

Other powers

Marshals.

Market and
Guard House.Arrest of of-
fenders,*Posse comi-
tatus.*Costs of im-
prisonment.

Proviso.

- A. D. 1885.** **By-laws and ordinances.** mitted. And the said Town Council shall have full power and authority under their corporate seal to make all such rules and regulations, by-laws and ordinances respecting the streets, roads and business thereof, as well as the police system of the said town, as shall appear to them necessary and proper for the security, welfare and convenience of the inhabitants of said town, and for preserving health, order and good government within the said town; and the said Town Council may impose
- Fines.** fines for offenses against their by-laws, rules, regulations and ordinances, and appropriate the same to the public use of said town; and whenever the said Town Council shall impose a fine upon a party convicted of an offense, who shall refuse, fail or be unable to pay the same, the said Town Council shall have power
- Commutation of fines.** and authority to commute the sentence of said person to that of labor on the public streets or public improvements of said town for a period not exceeding thirty days, the said labor to be controlled and enforced under such rules and regulations as the said Town Council may, by ordinance, direct; and the said Town Council shall have the same power that Trial Justices now
- Witnesses.** have or may hereafter have to compel the attendance of witnesses, and require them to give evidence upon the trial before them of any person or persons for a violation of any of their
- Limit to fines.** ordinances, by-laws, rules or regulations; but no fine above the sum of twenty-five dollars shall be collected by said Council, except by suit in the proper Courts of justice in this State; and also, that nothing herein contained shall authorize said Council to make any ordinance or by-laws inconsistent with or repugnant to the laws of the State.
- Nuisances.** SEC. 6. That said Intendant and Wardens, or a majority of them, shall have power to abate and remove all nuisances in said town; and it shall be their duty to keep all roads, ways, bridges
- Streets and bridges.** and streets within the corporate limits of said town open and in good repair; and for that purpose they are invested with all the powers of County Commissioners for and within the corporate limits of the said town; and they shall have full power to classify
- Street duty.** and arrange the inhabitants or citizens of said town liable to street, road or public duty therein, and to enforce the performance of such duty under such penalties as are now or shall hereafter be prescribed by law; and they shall have power to compound
- Right of compounding.** with all persons liable to work the streets, ways and roads in said town, upon such terms as their ordinances or by-laws may establish, or their rules and regulations may require, the

money so received to be applied to the public use of said town; and all persons refusing to labor or failing to pay such commutation shall be liable to such fine, not exceeding ten dollars for any one year, as the said Town Council may impose; and they shall have the power to enforce the payment of such fine as in all other cases for violations of ordinances.

A. D. 1885.

SEC. 7. The Town Council of Rock Hill shall have full power and authority to open new streets in said town, and to close up, widen, or otherwise alter those now in use, or which may hereafter be established, whensoever, in their judgment, the same may be necessary for the improvement or convenience of said town. Should the land owner or owners through whose premises such street or streets may run refuse his, her or their consent to such action of the Town Council in opening, closing up, widening or altering such street or streets, the said Town Council shall have the right to take possession of all such land, and remove all obstructions necessary to carry out the provisions of this Section, upon paying to the owner or owners of such lands such damages as shall be fixed and determined by five freeholders of said town, two of whom shall be chosen by the said Town Council, two by said land owner or owners, and the fifth by the persons so chosen, and who, before assessing said damages, shall be sworn to do impartial justice between the said Town of Rock Hill and the land owner or owners.

Opening and
altering streets.Damages to
land owner.

SEC. 8. The said Town Council may have power and authority to require all persons owning a lot or lots in said town to enclose the same, and to make and keep in good repair sidewalks in front of said lot or lots whenever the same shall front or adjoin any public street of said town, if in the judgment of the Council such sidewalk shall be necessary, the width thereof and the manner of construction to be designated and regulated by the said Town Council; and for default or refusal, after reasonable notice, to make and keep in good repair such sidewalks, and to enclose such lots, the Town Council may cause the same to be made or put in repair and require the owner to pay the price of making or repairing; and the said Town Council are hereby empowered to sue for and recover the same by action of debt in any Court of competent jurisdiction: *Provided*, That such contract for making and repairing is let to the lowest bidder. The cemeteries and public graveyards are also placed under the jurisdiction of the said Town Council.

Sidewalks.

Penalty.

A. D. 1885.	SEC. 9. The Intendant and Wardens of the said town, or a
Auction sales.	majority of them, shall have full power to regulate sales at auction within the corporate limits of such town, and to grant
Licenses.	licenses to auctioneers, itinerant traders, and keepers of hotel and livery stables, and to levy a tax on all drays, carts, wagons, carriages, omnibuses, buggies, horses, mares or mules kept for hire or used for public purposes in said town; and they shall have the full and only power to impose a tax on all shows or exhibitions for gain or reward within the corporate limits of the
Taxes.	said town; they shall have the power to impose a tax not exceeding fifty (50c.) cents on every hundred dollars of the value of all real and personal property lying within the corporate limits of the town—real and personal property of churches, cemeteries, schools, college associations and public libraries excepted; that an ordinance declaring the rate of the annual taxation upon property and other subjects of annual taxation for the year shall
Publication of notice,	be published at least three weeks during the month of January in each year: <i>Provided</i> , That the said Town Council shall have
Taxes for year 1885.	power to levy a tax for this year under the same rule as is above stated immediately after the passage of this Act; and that all
Oath of taxpayer.	persons liable to taxation under the same shall make oath of their taxable property within said town, and make payment of their taxes to the Clerk or Treasurer of said corporation, or such other person as they may be ordered or required to do, during the succeeding month after publication; and upon failure to make such return and payment as required the parties so in
Penalties.	default shall be subject to the penalties provided by law for failure to pay the general State and County tax, to be enforced by the order of the Intendant or Wardens, or a majority of them, for the use of the said town, except in such cases that executions to enforce the payment of such taxes shall be issued under the seal of the corporation and may be directed to the Town Marshal or other person appointed by the Town Council to levy, collect and receive the same, with costs, as in such cases made and provided by law; and all property upon which such tax shall be levied and
Lien for taxes.	assessed is hereby declared and made liable for payment thereof in preference to all other debts, except debts due to the State and County, which shall be first paid, and that all other taxes imposed by the Intendant and Wardens, or a majority of them,

shall be enforced and collected as in manner and form just before stated. A. D. 1885.

SEC. 10. The Intendant and Wardens elect, together with Clerk and Treasurer, shall, during their term of office, be exempt from street and police duty. Each Town Council shall, within one month after the expiration of their term of office, make out and return to their successors in office a full account of their receipts and expenditures during their term, which account shall be published in one or more papers of the town, and shall pay over all moneys in their possession belonging to the corporation, and deliver up all books, records and other papers incident to their office to their successors, and on failure to do so they shall be liable to be fined in a sum not exceeding five hundred dollars, to be collected by any proper action of the Town Council. Clerk and Treasurer.
Statement to and settlement with new Council.
Penalty.

SEC. 11. That the said Town Council shall have full power to prohibit the erection of any wooden building or buildings within one hundred yards of the business portion of said town. Wooden buildings.

SEC. 12. That the Intendant and Wardens of the Town of Rock Hill are hereby authorized and empowered to establish and keep up one or more public scales for weighing cotton and other articles sold by weight in said town, and to appoint one or more public weighers, who shall be sworn by said Intendant faithfully to perform the duties of said office, and who shall be removable for misconduct or incompetency by the said Town Council; and the said Town Council are hereby authorized to assess a sum not exceeding ten cents on each bale of cotton and a proportionate sum on other articles weighed, to be paid by the seller for the use of said town. That the public scales established in pursuance of this Act shall be the standard to which all others in said town shall conform, and the said Town Council may establish by ordinance such rules and regulations as may be deemed necessary to effectually carry out the provisions of this Section. Public scales.
Weighers.
To be the standard.

SEC. 13. That all ordinances or by-laws passed by the Town Council of Rock Hill pursuant to the power by this Act granted shall be binding upon the citizens of said town, the same as the laws of the State. Binding force of ordinances.

SEC. 14. This Act shall be deemed a public Act, and shall go into effect on the first day of March, 1886, and continue in force Public Act.
When of force.
Duration.

A. D. 1885. for the term of fourteen years, and until the close of the next session of the Legislature thereafter.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

No. 56. AN ACT TO REFUND TO JOHN H. BOWEN, EX-TREASURER OF PICKENS COUNTY, THE SUM OF ONE HUNDRED DOLLARS OVERPAID BY HIM ON THE COUNTY FUND OF SAID COUNTY.

County Commissioners to issue their warrant.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of the County of Pickens be, and they are hereby, authorized and directed to issue their warrant upon the County Treasurer of the said County for the sum of one hundred dollars in favor of John H. Bowen, ex-Treasurer of said County, said amount having been overpaid by him on the County fund of said County.

County Commissioners to issue their warrant.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND SECTIONS 1178, 1179 AND 1181 OF THE GENERAL STATUTES, RELATING TO DRAINAGE IN CERTAIN COUNTIES," SO FAR AS THE SAME REFERS TO LITTLE RIVER IN LAURENS COUNTY.

A. D. 1885.

No. 57.

SEC. 1.--Amendment excepting Little River in Laurens County.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1178 of an Act entitled "An Act to amend Sections 1178, 1179 and 1181 of the General Statutes, relating to drainage in certain Counties," be, and the same is hereby, amended by adding the following proviso to end of Section 1178: "*Provided*, The exception as to Little River shall in no wise apply to that part of Little River which may be in the County of Laurens."

Gen. Stat.
§ 1178 amended.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.

JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A.D. 1885.
No. 58.

AN ACT TO AUTHORIZE AND EMPOWER THE COUNTY COMMISSIONERS OF BERKELEY COUNTY TO ISSUE CERTAIN BONDS TO PAY THE PAST INDEBTEDNESS OF THE COUNTY.

- SEC. 1.—Authority to issue bonds.
SEC. 2.—Description of bonds. When payable.
SEC. 3.—By whom signed.
SEC. 4.—Coupons receivable for taxes.
SEC. 5.—County Treasurer to sell. Price,
SEC. 6.—Duties of County Treasurer.
SEC. 7.—Application of proceeds.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Berkeley County are hereby authorized, empowered and directed to issue certain bonds, in the name of said County, for the purpose of paying the past indebtedness of the County, to the amount of twelve thousand dollars, to mature and be made payable as hereinafter provided.

SEC. 2. That said bonds shall be for the sum of five hundred dollars each, bearing interest at the rate of six per cent. per annum, with coupons thereon for said interest, payable on the first day of July and the first day of January in each year until the bond becomes payable. That said bonds shall be numbered from one inclusive to twenty-four inclusive, and be made payable as follows: Bonds numbered one and two respectively, on the first day of January, A. D. 1887. Bonds numbered three and four respectively, on the first day of January, A. D. 1888. Bonds numbered five and six respectively, on the first day of January, A. D. 1889. Bonds numbered seven and eight respectively, on the first day of January, A. D. 1890. Bonds numbered nine and ten respectively, on the first day of January, A. D. 1891. Bonds numbered eleven and twelve respectively, on the first day of January, A. D. 1892. Bonds numbered thirteen and fourteen respectively, on the first day of January, A. D. 1893. Bonds numbered fifteen and sixteen respectively, on the first day of January, A. D. 1894. Bonds numbered seventeen and eighteen respectively, on the first day of January, A. D. 1895. Bonds numbered nineteen and twenty respectively, on the first day of January, A. D. 1896. Bonds numbered twenty-one and twenty-two respectively, on the first day of January, A. D. 1897. Bonds numbered respectively twenty-three and twenty-four, on the first day of January, A. D. 1898.

SEC. 3. That said bonds, and each of the coupons thereof, shall be signed in writing by the Chairman of the Board of County Commissioners, and attested by the Clerk of said Board. A. D. 1885.
By whom signed.

SEC. 4. That the coupons of said bonds shall be receivable for all taxes due and payable to the County of Berkeley, and the Treasurer of said County is hereby required to receive the said coupons of the year that they fall due and are payable, in payment of all taxes due said County. Coupons receivable for taxes.

SEC. 5. That when said bonds shall have been issued as provided by this Act, the County Commissioners shall deliver the same to the County Treasurer of the said County, who shall advertise the same for sale, and shall sell the same for the highest price that can be obtained on the market: *Provided*, That no bond shall be sold for less than its face value. County Treasurer to sell.
Limit on price.

SEC. 6. That the said Treasurer shall notify the said County Commissioners of each sale of any of said bonds as soon as the same may be made, specifying the number of the said bond or bonds so sold, and the price obtained therefor at such sale, and that the said Treasurer shall hold the money derived from the sale of said bonds subject to the warrants of the said County Commissioners. Duties of County Treasurer.

SEC. 7. That the said County Commissioners shall apply the proceeds arising from the sale of said bonds to paying the past indebtedness of the County of Berkeley. Application of proceeds.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.

No. 59.

AN ACT TO CHARTER THE CITY OF GREENVILLE.

- SEC. 1.—Corporation.
 SEC. 2.—Name and limits.
 SEC. 3.—Mayor and Aldermen. Time of election. Electors.
 SEC. 4.—Registration.
 SEC. 5.—Oath of person registering.
 SEC. 6.—Regulations affecting the election.
 SEC. 7.—Provisions affecting Managers and elections.
 SEC. 8.—Oath of Mayor and Aldermen.
 SEC. 9.—Vacancies.
 SEC. 10.—Penalty for refusal to serve. Exceptions.
 SEC. 11.—Powers of Trial Justices.
 SEC. 12.—Council meetings. Municipal powers.
 SEC. 13.—Fire district.
 SEC. 14.—Nuisances. Board of Health. Firemasters. Parks and cemeteries.
 SEC. 15.—Fire department.
 SEC. 16.—Wards and Aldermen.
 SEC. 17.—Clerk and Treasurer. Police.
 SEC. 18.—Street duty.
 SEC. 19.—Licenses and taxes.
 SEC. 20.—Other license. Taxes.
 SEC. 21.—Auction sales.
 SEC. 22.—Shows.
 SEC. 23.—Enforcement of taxes. Lien.
 SEC. 24.—Tax ordinance. Payment. Defaulters.
 SEC. 25.—Assessment of property.
 SEC. 26.—Guard house. Powder magazines. Forges and foundries.
 SEC. 27.—Offenders. Working streets as punishment.
 SEC. 28.—Summons to persons accused. Witnesses.
 SEC. 29.—Sidewalks.
 SEC. 30.—Closing and opening of streets. Damages. Appeals.
 SEC. 31.—Right to borrow money.
 SEC. 32.—Settlement with successors.
 SEC. 33.—Misfeasance and non-feasance in office.
 SEC. 34.—Ordinances validated.
 SEC. 35.—Repealing clause. Public Act. Duration.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Corporation. from and after the passage of this Act all citizens of this State, who may have resided twelve months within this State and sixty days within the corporate limits of the City of Greenville, and their successors, are hereby declared to be members of the corporation hereby intended to be created.

Name. SEC. 2. That the said persons and their successors shall, from and after the passage of this Act, become a body politic and corporate, and shall be known and called by the name of the "City of Greenville," and its corporate limits shall extend one and one-fourth miles in every direction from the Court House as a Limits. centre.

SEC. 3. The said city shall be governed¹ by a Mayor and one Alderman from each ward, who shall be citizens of the United States, and who shall have resided within this State for one year and within the corporate limits of said city sixty days immediately preceding their election, and the said Mayor and Aldermen shall be elected on the second Tuesday in September, at an election to be held on the second Tuesday in September, A. D. 1887, and on the second Tuesday in September in each and every second year thereafter, ten days' public notice being previously given, and shall continue in office for two years, or until the election and qualification of their successors. All male inhabitants of said city, citizens of this State, who shall have attained the age of twenty-one years, and shall have resided in the said city sixty days immediately preceding said election, and who shall have registered as hereinafter provided, shall be entitled to vote for said Mayor and Aldermen, paupers and persons under disability for crime excepted: *Provided*, That the first election under this Section of this Act shall be held on the second Tuesday in September, 1887: *And provided, further*, That the Mayor and Aldermen now in office shall continue in office until their successors are duly elected and qualified.

A. D. 1885.

Mayor and Aldermen.

Day of election.

Electors.

First election.

Present Council continued.

SEC. 4. That the City Clerk shall, sixty days immediately preceding the day of said election, open books for the registration of the names of the qualified voters of said city and their occupations, places of residence, at such place as may be designated by the City Council of said city; the said books to be opened for such registration for thirty days (Sundays and legal holidays excepted) at least five hours per day; and at the close of such registration the said books to remain in the custody of the Clerk, and shall be subject to public inspection under such reasonable rules as the said City Council may prescribe.

Registration.

Books.

SEC. 5. The Clerk shall administer to every person offering to register an oath that he is duly qualified to vote at the election to be held, and that he does truly state his name, occupation and place of residence.

Oath of person registering.

SEC. 6. That the said election shall be held at some one or more convenient public places in said city, designated by the City Council, from six o'clock in the morning until six o'clock in the afternoon of same day; and upon closing the polls the Managers of said election shall forthwith proceed to count the votes and declare the result of the election, giving notice in writing to the persons elected. The Mayor and Aldermen for

Conduct of election and declaration of result.

A. D. 1885.

Managers.

the time being shall give ten days' public notice of the time and place or places of holding such elections, and shall appoint three members of the said corporation as Managers of said election at each of the places where it may be held; and the said Managers before they open the polls shall take an oath fairly and impartially to conduct the said election; and said Managers, or one of them, shall administer to every person offering to vote at the election an oath that he is duly qualified to vote at such election according to the Constitution and laws of this State and has not voted at such election.

Oath of elector.

Provisions affecting Managers and the election.

SEC. 7. The Mayor and Alderman are empowered to fine any person so appointed as Manager, who refuses to serve, in a sum not exceeding twenty-five dollars, and said Mayor and Aldermen shall have authority to make all necessary ordinances, rules, and regulations for the proper, fair and just management and control of said elections.

Oath of Mayor and Aldermen.

SEC. 8. That the Mayor and Aldermen, to be elected as above directed, before entering upon the duties of their office, shall respectively, in addition to the oath prescribed in Section 30 of Article II of the Constitution, take the following oath, to wit: "As Mayor (or Alderman) of the City of Greenville, I will faithfully and impartially, to the best of my ability, exercise and discharge the trust reposed in me, and will use my best endeavors to preserve the peace, and to carry into effect according to law the purposes for which I have been elected. So help me God."

Vacancies.

SEC. 9. That in case a vacancy should occur in the office of Mayor, or of any Aldermen, by death, resignation or otherwise, an election to fill such vacancy shall be held by direction of the City Council of said city, such election to be conducted in the same manner as hereinbefore provided, save that it shall not be necessary to register anew the voters of the city, but every person shall be entitled to vote at any such last mentioned election who is legally qualified and had registered at the last preceding election for Mayor and Aldermen; and in case of a vacancy in the office of Mayor, until an election can be held, the Aldermen of said City Council are hereby empowered to elect one of their number to act as Mayor for the time being, and in case of the sickness or temporary absence of the Mayor he is authorized to appoint some one of the Aldermen to act as Mayor for the time being; but if the Mayor fails or neglects to appoint some member of the City Council to act as Mayor during his sickness or tempo-

rary absence, the City Council shall be empowered to elect one of their number to act as Mayor during the sickness or temporary absence of the Mayor.

A. D. 1885.

SEC. 10. That if any person who has been legally elected Mayor or Alderman shall refuse to act, he shall forfeit and pay the sum of twenty-five dollars for the use of the said city, unless the said person shall have attained the age of sixty years, or shall have served a term in either of said offices within three years next preceding such election.

Refusal to serve.

SEC. 11. The Mayor and Aldermen of said city are hereby, severally and respectively, vested with all the powers of Trial Justices in this State within the limits of said city, to try and punish all persons charged with the violation of the ordinances of said city.

Powers of Trial Justices.

SEC. 12. That the Mayor of said city shall, as often as may be necessary, summon the Aldermen to meet in Council; and the Mayor and any four Aldermen, or any five Aldermen without the Mayor, shall constitute a quorum to do business. The Mayor and Aldermen of said city shall be known and designated by the name of "The City Council of Greenville," and they and their successors shall have a common seal, which shall be affixed to all their ordinances; may sue and be sued, plead and be impleaded, in any Court of this State having jurisdiction; and may purchase, hold, possess, and enjoy, to them and their successors, in perpetuity or for any term of years, any estate, real, personal or mixed, and sell, lease, alien and convey the same: *Provided*, That the same shall not at any time exceed the sum of one hundred thousand dollars. And the said City Council shall have full power and authority to make and establish all such rules, by-laws and ordinances respecting the roads, streets, market and police department of said city, and the government thereof, as shall appear to them necessary and requisite for the security, welfare and convenience of said city, for preserving health, life, and property therein, and securing the peace and good government of the same, and may fix and impose fines and penalties for the violation thereof: *Provided, nevertheless*, That all such ordinances, by-laws, rules, and regulations so made be duly promulgated, and that no fine shall exceed the sum of fifty dollars, or imprisonment extend for a period longer than thirty days, or either, or both, for the same offense.

Council meetings.

Powers.

Property not to exceed \$100,000.

By-laws and ordinances.

Fines and imprisonment.

SEC. 13. That said City Council shall have full power to prohibit the erection of any wooden building or buildings, or any

Fire district.

A. D. 1885.

wooden roof building or buildings, in any portion of said city that they may by ordinance define as the limits of the fire district, and to prescribe of what material buildings or structures within said limits shall be constructed.

Nuisances.

SEC. 14. That said City Council shall have full power and authority to abate all nuisances within the corporate limits of the said city, and also to appoint a Board of Health, and a Board of Fire Masters for said city, and to pass such ordinances in regard thereto as may be necessary. The parks, cemeteries and public graveyards are also placed under the jurisdiction of the City Council.

Board of Health.

Fire Masters.

Parks and cemeteries.

Fire department.

SEC. 15. The said City Council shall have power to organize, equip and control a fire department for the protection of said city in such way as they may deem necessary and expedient.

Wards.

SEC. 16. That the said City Council shall have power and authority to divide the said city into six or more wards, if they deem it necessary for the convenience and better government of the same, and in the election of Aldermen for said city each of the said wards shall be represented by an Alderman who shall be a resident of said ward.

Aldermen.

Clerk and Treasurer, and Policemen.

SEC. 17. That the said City Council shall have power to elect and have a Clerk and Treasurer, and to appoint a Chief of Police, and such number of policemen as from time to time they may deem necessary for the safety and good order of said city, and to establish the salaries and fees and to prescribe the duties of said officers, and the said officers shall give bonds with sufficient sureties in such amount as shall be deemed proper for the faithful discharge of their respective offices. The said policemen shall be sworn in, and take in addition the oath prescribed by the laws for State Constables, and thereupon be

Their powers.

invested with all the powers, and be subject to all the duties and liabilities, of State Constables within the corporate limits of said city, in addition to the duties and liabilities specially conferred and imposed upon them by the said City Council; and the said policemen, when required by an ordinance of the city or by the direction of the Mayor or any Alderman of the said city, shall arrest and may hold in custody by imprisonment in the guard house or Jail not exceeding forty-eight hours before being brought before the Mayor or acting Mayor, any person or persons who within the corporate limits of said city shall be guilty of or shall be engaged in any breach of the peace, riotous or disorderly conduct, open obscenity, public drunkenness, theft

May arrest and imprison.

or any other conduct which may be disorderly, or calculated to produce disorder, or indecent, or dangerous to the good order of said city, and they shall have power to call to their assistance the "*posse comitatus*," if necessary.

A. D. 1885.

Posse comitatus.

SEC. 18. The said City Council are hereby authorized and empowered to require all male inhabitants of said city between the age of eighteen and fifty years, (the Mayor and Aldermen, active firemen and persons exempt by law from road duty excepted,) to work upon the roads, streets or ways of said city, not exceeding four days in each and every year, or in lieu of such work the City Council may compound with the persons so liable to work in any amount not exceeding two dollars per annum, to be applied to the use of said city; and any person failing or refusing to perform such work, or to compound as above provided, upon conviction thereof before the Mayor (who may bring any such person before him by warrant) be fined not exceeding ten dollars, or be imprisoned in the Jail or guard house for a period not exceeding thirty days.

Street duty.

Right to compound.

Penalty.

SEC. 19. The said City Council, in addition to all such fines and penalties as may be procured and recovered, and all licenses for sales at auction, public shows, and for wholesale and retail dealers in liquors in said city, all of which the said City Council, or a majority of them, shall have the right to grant in their discretion, shall annually levy on the assessed property of the city (except such property as may be exempt from taxation by the Constitution and laws of this State) a tax sufficient to discharge and defray all expenses of carrying into effect the ordinances, rules, regulations and laws made and established as above provided: *Provided*, Said tax does not exceed seventy-five cents upon every one hundred dollars of real and personal property as assessed and equalized.

Licenses.

Taxes.

Limit.

SEC. 20. That the said City Council shall have power to impose a tax upon the keepers of all billiard tables, bowling alleys, or other places of amusement kept for profit within the city, and upon all itinerant auctioneers, traders and peddlers within said city, and to grant or refuse licenses for the same, upon such terms and conditions, and subject to such regulations, as Council may by ordinance establish; and the City Council shall also have power to impose a tax upon all drays, wagons, carriages, omnibuses and other vehicles kept for hire, and upon the owners or proprietors of all dogs permitted to go at large within the limits of said city.

Other license taxes.

- A. D. 1885.
Auction sales. SEC. 21. That the said City Council shall be, and are hereby, authorized to regulate the sales at auction within the limits of said city : *Provided*, That nothing herein contained shall extend to sales by Sheriffs, executors or administrators, or by any other person under the order of any Court.
- Shows.** SEC. 22. That the said City Council shall have the power to regulate and fix the prices of licenses upon all shows and public exhibitions for gain in said city, and to apply the same to the public uses of the said city.
- Payment of taxes.** SEC. 23. The said City Council shall have power to inforce the payment of all taxes levied under the authority of this Act against the property of defaulters to the same extent and in the same manner as is now or may hereafter be provided by law for the collection of State and County taxes, except that executions to inforce the payment of the taxes due the said city shall be issued under the seal of the corporation by the Clerk thereof, and directed to the Chief of Police or any other officer designated by them for that purpose ; and all property upon which a tax shall be levied is hereby declared and made liable for the payment thereof in preference to all other debts against the said property, except debts due to the State, which shall first be paid.
- Executions.**
- Lien for taxes.** SEC. 24. That an ordinance declaring the rate of annual taxation upon property and other subjects of annual taxation for the year shall be published at least three weeks during the month of December in each year, and that all persons liable to taxation under the same shall make payment of their taxes to the Clerk and Treasurer of the said corporation during the succeeding month of January, and that upon failure to make such payment the parties so in default shall be subject to the penalties now provided by law for failure to pay the general State tax, the said penalty to be enforced by the said City Council for the use of the said city ; and that all other taxes imposed by the City Council shall be payable in advance by the parties liable therefor, and that for the non-payment of the same the party in default shall be subject to the same penalty as that hereinbefore set forth.
- Publication of tax ordinance.**
- When to be paid.**
- Persons in default.**
- Assessment of property.** SEC. 25. That the said City Council shall, within one month after entering upon the duties of their office, appoint five freeholders of said city to serve for two years, whose duty it shall be to assess the value of the real estate and personal property therein for taxation ; and for such assessment the said assessors shall, as the basis of the true valuation of such real estate and personal property, accept the returns made to the County Auditors for

State and County purposes : *Provided*, That the said assessors shall be authorized to make additional assessments for such investments as may have been made in real estate and personal property subsequently to the return to the County Auditor : *Provided, further*, That said assessors shall take an oath to fully and impartially perform their duties. The said assessors shall be compensated by Council for their services ; and any person so appointed as assessor, and refusing to act, may be fined by the City Council not exceeding twenty-five dollars.

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Oath of Assessors.

Penalty for refusal to serve.

Guard House.

SEC. 26. That the said City Council shall have power to establish a guard house, and to prescribe by ordinance or by-laws suitable rules and regulations for governing the same ; and they shall likewise have power to erect a powder magazine, and to require all persons holding more than twenty-five pounds of powder to store the same therein : *Provided*, Nothing herein contained shall be construed to prohibit the erection of private powder magazines for the storage of powder under the direction of said City Council, and to make regulations for the rates of storage and for keeping, delivering the same ; and they shall have power to prohibit the building and using of any blacksmith shop, forge, furnace or foundry on Main street, or in any public part of the city.

Powder magazine.

Forges and foundries.

SEC. 27. That the said acting Mayor shall have power and authority to try all offenders arrested by the police of the city as soon after such arrest as may be practicable, and to sentence such offenders to pay a fine not exceeding one hundred dollars or be imprisoned not exceeding thirty days, in the discretion of the Mayor or acting Mayor, unless the same be limited by ordinance, when the sentence shall conform to such ordinance. Any person sentenced to imprisonment directly or in consequence of failure to pay the fine imposed may, during the term of imprisonment, be required to work the roads, streets or ways of said city, and be further liable for all costs and expenses of said arrest and imprisonment.

Powers as to offenders.

Working of streets as a punishment.

SEC. 28. That in all cases of trials before the Mayor's Court for the violation of any of the ordinances, rules and regulations of said corporation, or for default in the performance of street, or road or patrol duty, the party charged shall be summoned by a written notice under the hand of the Mayor, or one of the Aldermen, or of their Clerk and Treasurer, stating the offense charged and the time and place of appearance ; and such summons shall be served by one of the policemen of said town,

Notice to persons accused.

How served.

- A. D. 1885.** either by delivering a copy thereof to the parties charged personally, or by leaving a copy at the most notorious place of residence of the said party ; which service shall be made at least one day previous to said trial, unless the party charged be a non-resident of said town, in which case the summons may be served at any time previous to the trial. And the said Mayor or acting Mayor shall have power to compel the attendance of witnesses upon such trials by summonses in writing, to be served in the manner aforesaid, at any time previous to the said trial.
- Witnesses.**
- Sidewalks.** SEC. 29. That the said City Council shall have power and authority to require all persons owning land in said city to inclose it, if in their judgment the safety of the public requires it, and to make and keep in good repair sidewalks along any public street or road adjoining said land, whenever the same may be deemed necessary, and the right and manner of construction of such sidewalk shall be designated by said City Council ; and on default or refusal, after reasonable notice, to keep in repair such sidewalk, the said City Council may cause the same to be made or repaired, and require the costs of such making and repairing to be paid by such land owners, and the said amount may be recovered, in an action for debt, in any Court of competent jurisdiction.
- Penalty.**
- Power to close streets.** SEC. 30. That the said City Council shall have power and authority to close all such roads, streets and ways within the said city as they may deem necessary, by sale of the freehold therein, either at private or public sale, as they may adjudge best for the interest of the said city ; and they shall have power and authority to lay out, adopt, alter, widen and open all such streets, roads and ways as they may from time to time deem necessary for the improvement and convenience of the said city : *Provided*, That the owners of lands over which any such road, street or way may pass, and any person damaged by the closing or from the altering of any such street, road or way, shall be duly compensated therefor by the City Council ; and wherever any road, street or way is to be laid out, closed, opened or widened, in case the said City Council and the owners of land over which the same shall pass, or the persons damaged by the closing or altering as aforesaid, cannot agree upon the amount of compensation to be paid to such owners or persons, the same shall be assessed by three Commissioners to be appointed, one by the City Council, one by the land owner, or person damaged, and the third by the two Commissioners thus appointed ; and in
- And open new ones.**
- Compensation.**
- Commissioners to assess damages.**

case any land owner shall neglect or refuse to appoint a Commissioner within five days after notice so to do, then the Chairman of the Board of County Commissioners of the County of Greenville shall appoint a Commissioner, who, with the one appointed by the City Council, shall select the third Commissioner: *Provided*, That either party may appeal from such assessment to the Court of Common Pleas for said County, by serving written notice of such appeal upon the other party within five days after such assessment shall have been made, when the issue of value shall be submitted to a jury.

A. D. 1885.

Appeal.

SEC. 31. That the said City Council shall have power to borrow money for the public use of the corporation by issuing from time to time, as occasion may require, the bonds of said corporation, bearing interest at a rate not exceeding seven per centum per annum, to be paid semi-annually, for an amount not to exceed the sum of one hundred thousand dollars (\$100,000); and for the payment of the interest and the ultimate redemption of the principal, according to the terms of the loan, the said corporation shall be at all times liable: *Provided*, That the property of the inhabitants of said city shall be bound for the redemption of said loan in no other way than by the imposition of an annual tax, according to the provisions of this Act.

Right to borrow money and issue bonds.

Not exceeding \$100,000.

To be paid by taxation.

SEC. 32. That the City Council shall within one month after the expiration of their term of office make out and publish a full account of their receipts and expenditures during their term, and shall pay and deliver to their successors all moneys, books, records, papers or property in their hands belonging to the corporation, and upon failure so to do they shall be liable to indictment and be subject to penalties prescribed in Section 33 of this Act.

Statement to and settlement with successors.

Penalty.

SEC. 33. That for any willful violation or neglect of duty, malpractice, abuse or oppression, the said Mayor and Aldermen severally shall be liable to indictment in the Court of General Sessions, and, upon conviction, to punishment by fine not exceeding five hundred dollars and to imprisonment not exceeding twelve months, besides being liable for damages to any person injured.

Misfeasance and nonfeasance.

Punishment.

SEC. 34. That all ordinances heretofore passed by the Mayor and Aldermen of Greenville under existing laws be, and they are hereby declared to be, of full force and effect in said City of Greenville.

Ordinances validated.

A. D. 1835. SEC. 35. This Act shall go into effect immediately upon its passage, and all Acts and parts of Acts inconsistent with this Act be, and they are hereby, repealed; and this Act shall be deemed and be taken to be a public Act, and shall continue in force for the term of twenty-one years and until the end of the session of the General Assembly then next ensuing.

To go into effect at once.
Repealing clause.
Public Act for 21 years.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
 President of the Senate.
 JAMES SIMONS,
 Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
 Governor.

No. 60. AN ACT TO CHARTER THE PEOPLE'S SAVINGS BANK, OF NEWBERRY, SOUTH CAROLINA.

- SEC. 1.—Incorporation. Name and term of charter. Powers.
 SEC. 2.—Capital stock.
 SEC. 3.—Books of subscription. Organization.
 SEC. 4.—Banking and other powers.
 SEC. 5.—Liabilities of stockholders.
 SEC. 6.—By-laws, officers and employees. Stock—payments.
 SEC. 7.—Public Act, to take effect immediately.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Incorporation. Young John Pope, John M. Johnstone, Andrew C. Stockman, James P. Bowers, Thompson Conner, John L. Hunter, M. F. Dickenson, Jr., George W. Morse, Francis Wyman, Ed. A. Strong, George W. Braman and N. J. Bradlee, their future associates and successors, shall be, and they are hereby constituted, a body politic and corporate, by the name and style of

Name and term of charter. "The People's Savings Bank, of Newberry, South Carolina," for the term of thirty years, and as such corporation shall have, and may exercise and enjoy, all the rights, powers and privileges

incident to or enjoyed by any bank or banking institution now existing as a corporation under or by virtue of the laws of this State.

A. D. 1885.

Powers.

SEC. 2. The capital stock of said corporation shall not be less than seventy-five thousand dollars, and may be increased from time to time, as said corporation may elect, to a sum not exceeding two hundred thousand dollars, and the same shall be held by the corporators in said corporation in shares of one hundred dollars each.

Capital stock.

SEC. 3. The corporators in the first Section named, or any two of them, may open books of subscription to the capital stock of the said bank, at such time or times and at such places and for such periods as a majority of the corporators may determine; and as soon as the sum of seventy-five thousand dollars shall be subscribed thereto and paid in, the before named corporators, or a majority of them, on such notice as they may consider sufficient, shall call a meeting of such subscribers, to be held at the Town of Newberry, in the County of Newberry, in this State; and at such meeting, and all future meetings of the stockholders of said bank, the shares of the capital stock may be represented in person or by proxy. The subscribers to said stock, at their meeting to be held as aforesaid, shall elect from themselves such a number of Directors of said corporation as they may think proper, who shall continue in office for one year, and until their successors shall be duly elected, and thereafter there shall be annual meetings of the stockholders of said bank, at which Directors shall be chosen, whose tenure of office shall be as above provided. Every Director must own in his own right at least ten shares of the capital stock of the said bank. The Directors chosen or elected at any such meeting shall, from among themselves; elect a President and Vice President, to act as such during the term of office of such Directors, and they shall perform such duties and exercise such powers as may be prescribed by the by-laws of said corporation or as shall be incident to their respective offices.

Books of subscription.

Organization.

Representation of stock.

Directors.

President and Vice President.

SEC. 4. The said corporation may receive and pay out the lawful currency of the country, deal in exchange, gold and silver coin, bullion, uncurrent paper, public and other securities, and stocks of other corporations: *Provided, however,* That not more than an amount equal to one-half of the capital stock of said bank shall be invested in mortgages of real estate at any one time; may purchase and hold such real and personal property

Banking powers.

Mortgages.

Real estate.

A. D. 1885.	<p>and estate as may be conveyed to it to secure debts to the corporation, or may be sold under execution to satisfy any debts due in whole or in part to the corporation, and may sell and dispose of the same ; may purchase and hold such real estate as may be deemed necessary or convenient for the transaction of its business, and may sell and dispose of the same at pleasure ; may discount notes, bills of exchange, bonds and other evidences of debt, and lend money on such terms as may be agreed on, subject to the usury laws of this State. It may receive on deposit moneys on such terms as may be agreed on with depositors, and issue certificates therefor, negotiable or assignable in such way as may be inserted in the same. Said corporation may sue and</p> <p>be sued, plead and be impleaded, in any Court in this State ; may adopt and use a corporate seal, and may alter the same at its pleasure ; may adopt all such by-laws for the general management and direction of the business and affairs of said corporation, not inconsistent with the laws of this State, as may be deemed proper, and have all such other rights and privileges as are or may be conferred on corporations by the general laws of this State.</p>
Other banking powers.	
Other powers.	
Liabilities of stockholders.	<p>SEC. 5. The stockholders of said bank shall be held individually responsible, equally, rateably, and not one for another, for all contracts, debts and engagements of said bank to the extent of the amount of their stock therein, at the par value thereof, in addition to the amount invested in such shares.</p>
By-laws.	<p>SEC. 6. The Directors of said bank may make and change by-laws, not inconsistent with law, regulating the manner in which the stock of said bank shall be transferred, its Directors elected or appointed, its property transferred, its general business conducted, and the privileges granted to it by law exercised and enjoyed. The Directors may appoint all necessary officers and employees of said corporation, fix their compensation, and take security for the faithful discharge of their respective duties,</p>
Officers and employees.	
Stock payments.	<p>prescribe the manner of paying for the stock of the corporation and the transfer thereof ; and may from time to time prescribe such penalties for the non-payment of subscriptions to the capital stock of the corporation as they may deem proper, and the same, together with any unpaid installments on such subscriptions, may be recovered in any Court having jurisdiction of the aggregate amount so due, or the stock may be sold for cash, after twenty days' notice, advertised in any newspaper published in the Town of Newberry ; and if at any such sales the sum bid</p>
Suits.	
Sales.	

should not be sufficient to satisfy and discharge the amount so due, together with the costs and charges incident to such sale, the subscriber in default shall be liable for any deficiency, and the same may be recovered in the name of the corporation in any Court having jurisdiction. The books, papers and accounts of said bank shall be open to inspection under such regulations as may be prescribed by law.

A. D. 1885.

Deficiency.

Books and papers to be open.

SEC. 7. That this Act shall be deemed a public Act, and shall take effect immediately after the date of its approval.

Public Act, to take effect at once.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AUTHORIZE THE TOWN COUNCIL OF WINNSBORO TO ISSUE BONDS FOR THE PURPOSE OF REBUILDING, REPAIRING AND IMPROVING MOUNT ZION COLLEGE OF SAID TOWN, TO PROVIDE FOR THE INTEREST ACCRUING THEREON, AND FOR THE PAYMENT OF SAID BONDS. No. 61.

SEC. 1.—Authority to issue. Description. Coupons.
SEC. 2.—Proceeds—how and by whom expended.
SEC. 3.—How payable. Annual tax and its limit.
SEC. 4.—Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Town Council of the Town of Winnsboro shall have power, and are hereby authorized and required, to issue bonds of said town to an amount not exceeding seven thousand and five hundred dollars, for the purpose of erecting new buildings or repairing and improving the present buildings and grounds of Mount Zion College in said town, said bonds to be issued in such

Authority to issue bonds.

Description.

A. D. 1885.

Coupons re-
ceivable for
taxes.Proceeds, how
and by whom
expended.

How payable.

Annual tax.

Limit.

Repealing
clause.

denomination as said Town Council may deem best, and to be payable in fifteen years from the date of said bonds, with interest payable annually at the rate of seven per cent. per annum ; and the coupons for said interest, when due, to be receivable in payment of all taxes levied by or due to said town.

SEC. 2. That the money arising from the sales or hypothecation of said bonds be used exclusively for the purpose of erecting new buildings, repairing the present buildings and improving the grounds of said Mount Zion College, and to this end shall be expended under the direction and control of said Town Council and the Mount Zion Society.

SEC. 3. That the said Town Council shall annually, at such time as they may fix and determine, pay the whole of the interest due upon said bonds and also the one-fifteenth part of the principal thereof ; and for this purpose the said Town Council, in addition to the powers already conferred, shall be authorized and required annually to levy such tax upon the real and personal property assessed for taxation in said town as may be deemed necessary to pay the principal and interest of the said bonds which may become due in each and every year, until the whole of said bonds shall be paid : *Provided*, That the amount of such levy shall not exceed five mills in any one year.

SEC. 4. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS.

Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,

Governor.

AN ACT RELATING TO THE TIME OF HOLDING CIRCUIT COURTS
IN THE SIXTH CIRCUIT.

A. D. 1885.

No. 62.

SEC. 1.—Terms of Court in Sixth Circuit.

SEC. 2.—Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 23 of the Code of Procedure be, and the same is hereby, repealed, and the following is substituted in its place, to be known as Section (23) twenty-three of said Code of Procedure, to wit:

Code, § 23,
amended as
to terms of
Court.

SECTION 23. The Circuit Courts of the Sixth Circuit shall be held as follows:

Terms of
Court.

1. The Court of General Sessions at Winnsboro, for the County of Fairfield, on the third Monday in February, the second Monday in June and the third Monday in September; and the Court of Common Pleas at the same place on the Wednesdays following the third Mondays in February and September.

Fairfield.

2. The Court of General Sessions at Lancaster, for the County of Lancaster, on the first Monday in March, the third Monday in June, and the first Monday after the fourth Monday in September; and the Court of Common Pleas at the same place on the Wednesday following the first Monday in March, and the Wednesday following the first Monday after the fourth Monday in September.

Lancaster.

3. The Court of General Sessions at Chester, for the County of Chester, on the third Monday in March, the fourth Monday in June and the third Monday in October; and the Court of Common Pleas at the same place on the Wednesdays following the third Monday in March and the third Monday in October.

Chester.

4. The Court of General Sessions at Yorkville, for the County of York, on the first Monday after the fourth Monday in March, the first Monday after the fourth Monday in June, and the first Monday after the fourth Monday in October; and the Court of Common Pleas at the same place on the Wednesdays following the first Monday after the fourth Monday in March and the first Monday after the fourth Monday in October.

York.

A. D. 1885.
 Repealing
 clause.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
 President of the Senate.
 JAMES SIMONS,
 Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
 Governor.

No. 63. AN ACT TO INCORPORATE THE GEORGETOWN BUILDING AND LOAN ASSOCIATION, OF GEORGETOWN, S. C.

SEC. 1.—Incorporation. Name. Capital stock. Shares.
 SEC. 2.—Rights and powers.
 SEC. 3.—Investment of funds. Loan to members. Real estate.
 SEC. 4.—Outside loans.
 SEC. 5.—Division and dissolution. Term of charter.
 SEC. 6.—Liability of members.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Incorporation. H. Kaminski, W. D. Morgan, Walter Hazard, L. S. Ehrich, T. M. Merriman and George R. Congdon, together with such other persons as now are or may hereafter be associated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of buying and holding real estate in the

Purposes. County of Georgetown, South Carolina, and making loans of money, secured by mortgage of real estate, and the hypothecation of bonds, stocks and other choses and personal property to its members and stockholders and others, by the name and style

Name. of the "Georgetown Building and Loan Association," the capital

Capital stock. stock of said association to consist of one thousand shares, but as soon as five hundred shares are subscribed thereto the said association shall organize and commence operations; said shares to be paid by successive monthly installments of one dollar on each share so long as the said association shall continue; the

Share holders. said shares to be held, transferred, assigned and pledged, and the

holders thereof to be subject to such fines, penalties and forfeitures for default in their payments, as the regulations and by-laws of the said association may prescribe.

A. D. 1885.

SEC. 2. That the said association shall have such number and succession of officers and members as shall be ordained and chosen according to the rules and by-laws made or to be made by them for their government, and shall have the power and authority, from time to time and at all times, to make such rules, regulations and by-laws as are not repugnant to the Constitution and laws of the land; to have and keep a common seal and the same to alter at will; to sue and be sued, implead and be impleaded, in any Court of competent jurisdiction in this State; and shall have and enjoy every right and privilege incident and belonging to corporate bodies according to the laws of the land.

Rights and powers.

SEC. 3. That the fund of said association shall be invested either in the purchase of real estate in the County of Georgetown, South Carolina, which shall be rented out or leased or sold and conveyed to the members and stockholders of said association upon such terms, conditions and estates as from time to time may be prescribed by the rules and by-laws, or be loaned out and advanced to members and stockholders thereof upon the security and hypothecation of real estate in Georgetown County, or bonds, stocks or choses in action, or personal property, on such terms and conditions as from time to time may be prescribed by the rules and by-laws of said association; and it shall be lawful for the said association to hold and enjoy for the mutual benefit of its members and stockholders all such lands, tenements, hereditaments and appurtenances as may be *bona fide* purchased by and conveyed to it, or as may be mortgaged to it by way of security upon its loans and advances, or as may be bought by or transferred and conveyed to it at sales under judgments or decrees at law and equity for securing and recovering or in compromise settlement for any debt or debts due to it; and to sell, alien, barter, exchange, mortgage or otherwise dispose of the same, from time to time, and whenever deemed necessary and expedient.

Investment of funds.

Loans to members.

Real estate.

SEC. 4. That if any of the funds of the said association shall remain unproductive or uninvested and uncalled for for the space of two months by its own members and stockholders, it shall be lawful for said association to lend out what moneys may be on hand to others than stockholders at such rates of interest as may be agreed on, not contrary to law, to be safely

Loan of funds to non-members.

A. D. 1885.

invested, and to be repaid within one year from the date of investment or in a shorter time.

Division and
dissolution.

SEC. 5. That whenever the funds and assets of the said association shall have accumulated to such an amount that, upon a fair division thereof, each stockholder for each and every share of stock held by him or her shall have received, or be entitled to receive, the sum of two hundred dollars, or the value thereof in property or assets, and such division or distribution shall have been made, then the said association shall cease and determine : *Provided, however,* That in case the said association shall not have closed its operations and affairs as above provided for within a shorter period, then this Act shall not continue in force beyond ten years.

Not to con-
tinue beyond
ten years.

Liability of
members.

SEC. 6. That the members of the said corporation shall be individually liable for the debts of said corporation, each member to the extent of one year's annual dues which such member may owe to the said corporation according to its by-laws in the year in which he or she may be sued for said corporation debt ; but such liability shall not attach until the corporation shall have been sued and *nulla bona* returned on execution in such suit.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor

AN ACT TO UTILIZE THE LABOR OF JAIL AND MUNICIPAL CONVICTS, AND TO EMPOWER THE COURTS AND MUNICIPAL AUTHORITIES TO IMPOSE THE PUNISHMENT OF LABOR WITHIN THEIR RESPECTIVE JURISDICTIONS.

A. D. 1885.

No. 64.

SEC. 1.—Sentence to hard labor. Limit. Guards.

SEC. 2.—To work upon roads, streets, &c.

SEC. 3.—Under whose direction.

SEC. 4.—Duties of Sheriff.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all Courts and municipal authorities which, under existing laws, have power to sentence convicts to confinement in prisons, may, within their discretion, impose the condition of hard labor for a period not exceeding ninety days.

Sentence not exceeding 90 days.

SEC. 2. That all convicts so sentenced to hard labor and confinement may, upon the conditions hereinafter specified, be required to perform hard labor upon the public highways, roads, bridges and other public works of the County in which the offense of which they are convicted was committed, or upon the streets or other public works within the limits of the incorporated cities, towns and villages in which the offense for which they are sentenced was committed.

Work upon highways, &c.

Streets, &c.

SEC. 3. That all convicts so sentenced to hard labor for the County shall be under the direction and control of the Board of County Commissioners, and the said municipal convicts under sentence to hard labor shall be under the direction and control of the said municipal authorities, who shall respectively direct the time, place and manner of the labor to be performed: *Provided*, That in their judgment it be practicable to employ the labor to advantage: *And provided, further*, That the said Board of County Commissioners and said municipal authorities, respectively, provide suitable and efficient guards for the safe-keeping of said convicts, and that said guards be paid for such service out of the County funds when employed by said Boards of County Commissioners and out of municipal funds when employed by said municipal authorities.

Under whose direction.

Guards and their payment.

SEC. 4. That the County Sheriffs, charged with the custody of prisoners so sentenced to hard labor, shall, during the work hours of the day, or during a term of days to be specified by

Duties of Sheriffs.

A. D. 1885.

said Commissioners, upon the order of the Board of County Commissioners, deliver them to the safe keeping of the authorities herein provided for their control and direction.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

No. 65. AN ACT TO AMEND THE CHARTER OF THE TOWN OF MOUNT PLEASANT SO AS TO PROVIDE FOR A REGISTRATION OF THE VOTERS OF SAID TOWN, AND TO ENLARGE THE POWERS OF THE MANAGERS OF ELECTION FOR INTENDANT AND WARDENS OF SAID TOWN.

SEC. 1.—Elections and Registration.
SEC. 2.—Oath of person registering.
SEC. 3.—Certificate of registration.
SEC. 4.—Directions concerning ballots.
SEC. 5.—Powers of Managers.
SEC. 6.—Repealing clause.

Amendment
of charter.

Elections.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the Town of Mount Pleasant be, and the same is hereby, amended as follows: That hereafter, for the purpose of conducting the election for Intendant and Wardens of said town, it shall be the duty of the Intendant and Wardens, at least thirty (30) days before the time for holding said election, to appoint three (3) responsible citizens, owners of real property in said town and residents thereof, who shall be others than the Managers of Election, Managers of Registration, whose duty it

shall be, after taking the oath of office prescribed by the Constitution, Section 30, Article 2, at least three weeks previous to the time appointed for holding said election, and after ten (10) days' public advertisement of the same, to proceed to the public polling place, and there, for the space of two (2) days, from the hour of 9 A. M. to the hour of 6 P. M. of each day, open lists for the qualified voters of said town, setting forth their names and places of residence. That the registration lists when completed shall be lodged with the Town Council of said town, the same being first sealed up, which shall be so kept unopened by said Town Council and delivered to the Managers of Election now provided for by law on the day provided for holding said election for Intendant and Wardens, when the duties of said Managers of Registration shall cease and determine.

A. D. 1885.

Registration.

Registration lists.

SEC. 2. The said Managers of Registration shall administer to every person offering to register an oath that he is qualified to vote at the ensuing election for Intendant and Wardens, and that he has truly stated his name and residence.

Oath of person registering.

SEC. 3. Upon the registration of the name of each voter, the Managers of Registration shall issue to him a certificate setting forth his name, place of residence and the date of registration, which shall be signed by the Chairman of the Board of Managers of Registration; and no person shall be allowed to vote on the day of election who does not deliver up to the Managers of Election his certificate, to be immediately destroyed by them.

Certificate of registration.

SEC. 4. That every voter shall be required to place his ballot in an envelope and vote the same so enclosed; and every envelope found in counting the votes containing more than one ballot shall, with whatever it contains, be thrown out by the Managers and not counted; and it shall be the duty of the Town Council of said town to furnish the Managers of Election with envelopes appropriate for holding said ballots.

Directions concerning ballots.

SEC. 5. That the Managers of Election shall have the power to decide summarily all questions arising at such elections as to the right of any person to vote, and they are hereby authorized in all cases when they deem it necessary to examine the person offering to vote on oath as to his right to vote; and power is hereby given to the Managers of Election to keep the peace during the day of election and until the election is concluded, and all peace officers at or near the polls shall carry out the instructions of said Managers of Elections.

Powers of Managers.

A. D 1885.

Repealing
clause.

SEC. 6. That all Acts or parts of Acts inconsistent with or supplied by this Act are hereby repealed.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,

Governor.

No. 66. AN ACT TO AMEND SECTION 2237 OF THE GENERAL STATUTES OF SOUTH CAROLINA, AS AMENDED DECEMBER 24TH, 1883, RELATING TO THE DRAWING OF JURIES.

SEC. 1.—Amendment of Gen. Stat. § 2237, as to jury ballots and tales box.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Gen. Stat.
§ 2237, amend-
ed.

Section 2237 of the General Statutes of South Carolina, as amended December 24th, 1883, be, and the same is hereby, amended so that said Section shall hereafter read as follows:

Section 2237
as amended.
Jury ballots.

SECTION 2237. Of the list so prepared, the Board of Jury Commissioners shall cause the names to be written, each one on a separate paper or ballot, and shall fold up said pieces of paper or ballots so as to resemble each other as much as possible, so that the name written thereon shall not be visible on the outside, and shall place them in a box, to be furnished them by the County Commissioners of their County for that purpose, and by said Board of Jury Commissioners to be kept. At the same time, they shall place in a separate and special apartment in the jury box, to be known as the tales box, the names of one hundred and fifty persons, qualified by law to serve as jurors, who reside within seven miles of the Court House, from which shall be drawn jurors to supply deficiencies arising from any cause or emergency during the sitting of the Court: *Provided,*

Tales box.

That in the County of Richland the number of names to be placed in the separate apartment shall be two hundred, and in the County of Charleston two hundred and fifty, and in the County of Georgetown fifty.

A. D. 1885.

Richland.
Charleston.
Georgetown.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO INCORPORATE THE CHESTER, GREENWOOD AND
ABBEVILLE RAILROAD COMPANY. No. 67.

- SEC. 1.—Incorporation. Name.
SEC. 2.—Route of road. Property and other rights.
SEC. 3.—Corporators and their powers.
SEC. 4.—Capital stock. Books of subscription. Shares.
SEC. 5.—Extension of road, connecting with and crossing roads.
SEC. 6.—Organization. President and Directors.
SEC. 7.—Accounts to be rendered and published.
SEC. 8.—Debts.
SEC. 9.—Rights of way.
SEC. 10.—Road must be commenced within three years.
SEC. 11.—Liability of stockholders.
SEC. 12.—Corporate subscriptions. Bonds.
SEC. 13.—Election on question of subscription.
SEC. 14.—Determining the result.
SEC. 15.—County, Township and town subscriptions.
SEC. 16.—Taxes to pay interest.
SEC. 17.—Taxes to pay installments. Payment to R. R. Company.
SEC. 18.—Special receipts redeemable in stock.
SEC. 19.—Incorporation of Counties and towns. Their agents.
SEC. 20.—Proxies of stock held by Counties, towns, &c.
SEC. 21.—Public Act for 30 years.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. C. Maxwell, C. A. C. Waller, W. K. Blake, S. P. Boozer, T. F. Riley, J. K. Durst, W. H. Bailey, W. H. Parker, L. W. Perrin, J. T. Parks, Hugh Wilson, J. H. Wharton, M. S.

Incorporation.

A. D. 1885.	Bailey, W. A. Shand, Julius Mills, John L. Agurs, J. Harvey Smith, John B. Cornwell, F. H. Barber, W. R. Davie, E. B. Mobley, W. M. English and J. C. Hunter, and their associates and successors, be, and they are hereby, constituted a body politic and corporate, by the name and style of the Chester, Greenwood and Abbeville Railroad Company.
Name.	
Route of road.	SEC. 2. That the said company shall have power and authority to build, construct and operate a railroad from the Town of Greenwood to the Town of Abbeville, in South Carolina, by the most practicable route, as the said company may determine; to acquire by purchase or otherwise, and to hold, own, possess, and sell or otherwise transfer real and personal estate; to sue and be sued, implead and be impleaded, and to have and exercise all and every other power, authority, privilege and right common or necessary to similar corporations, not inconsistent with the laws of this State or the provisions of this Act.
Property and other rights.	
Corporators and their powers.	SEC. 3. That the said corporators shall be <i>ex officio</i> Directors of said company, with the usual powers and privileges, including the power to fill vacancies in their body, should any occur, until said company is fully organized.
Capital stock.	SEC. 4. That for the purpose of creating the capital stock of said company, which shall be two million dollars (\$2,000,000), with the privilege of increasing the same to three million dollars, the said corporators, or a majority of them, are hereby authorized and empowered, as soon after the passage of this Act as may be deemed advisable, to appoint commissioners to open books of subscription, at such times and places and under such rules and regulations as may be prescribed; the capital stock of said corporation to be divided into shares of twenty-five dollars (\$25) each, and the subscriptions thereto to be received payable in money, land, labor or material necessary in the construction or equipment of said railroad, bonds, stock or other valuable credits, in such manner and on such terms as may be agreed upon between the said company and such subscribers.
Books of subscription.	
Shares.	
Extension of road.	SEC. 5. That the said company shall have full power and authority to extend their railroad to the Savannah River at such point as they may determine to connect with a railroad to Elberton, in the State of Georgia, and also to extend said railroad in the direction of the Town of Clinton to the Town of Chester, and thence to the North Carolina line in the direction of Monroe, in the State of North Carolina, over the most practicable route, as said company may determine; and the said com-

pany shall have full power and authority to connect with or cross over all other railroads on its proposed line, and also to unite or consolidate with other railroads either in or out of this State, in such manner and upon such terms as may be agreed upon between the companies so consolidating: *Provided*, The same be not inconsistent with the laws of this State.

A. D. 1885.
Connecting
with and cross-
ing roads.

SEC. 6. That so soon as the sum of twenty thousand (\$20,000) is subscribed, the corporators aforesaid, or a majority of them, shall, by advertisement once a week for four weeks in one or all the papers published in the Counties through which the road passes, call a meeting of the stockholders, to be held at some convenient place on the proposed line of said railroad one month after the date of said notice, for the purpose of organizing said company, and the said stockholders shall then and thereafter have power to organize the said company by electing from among their number fifteen (15) Directors, who shall immediately after their election choose one of their number for President and one for Vice President of said company; and the term of office of President, Vice President and Directors of said company shall be one year and until their successors shall thereafter be elected, but no one shall be eligible to the office of Director unless he owns not less than two shares in the capital stock of said company, or unless he be one of a firm owning as many times two shares as there are members in the firm.

Organization.

Directors,
President and
Vice-Presi-
dent.

Term of of-
fice.

Who may be.

SEC. 7. It shall be the duty of the President and Directors of said railroad company and all officers of the same to render an account of the affairs of the same to the stockholders at least once a year, and as often as they may be required by said stockholders, and the same shall be published in one or more newspapers in this State.

Account to
be rendered.

And publish-
ed.

SEC. 8. That the President and Directors of said company shall not have power to contract any debt for said company until they shall have been first authorized by the stockholders in general meeting.

Debts.

SEC. 9. That the said railroad company shall be subject to the provisions of Sections 1550 to 1561, both inclusive, of Chapter forty (40) of the General Statutes, as to the manner of acquiring rights of way.

Rights of way.

SEC. 10. That the said company shall be organized and the construction of said railroad commenced within three years from the passage of this Act.

To commence
in 3 years.

A. D. 1885. **SEC. 11.** Each stockholder in the said corporation shall be jointly and severally liable to the creditors thereof in an amount, besides the value of his share or shares therein, not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditors was created : *Provided*, That such demand shall have been payable within one year : *Provided, also*, That proceedings to hold such stockholders liable therefor shall be commenced whilst he remains a stockholder therein, or within two years after he shall have ceased to be such stockholder : *Provided, further*, That persons holding stock in such company as executors, administrators, or by way of collateral security, shall not be personally subject to the liabilities of the stockholders under the foregoing provisions, but the person pledging such stock shall be liable as a stockholder, and the estates and funds in the hands of such executors or administrators shall be liable in their hands, in like manner and to the same extent as the deceased testator or intestate, or the ward or person interested in such trust fund, would have been if they had respectively been living and competent to act and hold the stock in their own names.

County, Township and town subscriptions. **SEC. 12.** That for the purpose of aiding in raising the capital stock of the said Chester, Greenwood and Abbeville Railroad Company, in addition to private subscriptions above provided for, it shall and may be lawful for any County, Township or city or town through which the said railroad runs, or which is interested in its construction, to subscribe to the capital stock of such company such sum or sums, in bonds or money, as a majority of their qualified electors may authorize the County Commissioners of such County, or the municipal authorities of such city or town, to subscribe, anything contained in the charter of such municipal corporations to the contrary notwithstanding. If such subscription by any County, Township, city or town be in bonds, the said subscription shall be made in seven per cent. bonds, payable in twenty years after date thereof, to be received by the said company at par, and to be of the denomination of one hundred dollars, five hundred dollars and one thousand dollars, interest to be paid annually.

Description of bonds. **SEC. 13.** That for the purpose of determining the amount of said subscription, it shall be the duty of the County Commissioners of any County, or the municipal authorities of any town or city interested in the construction of said road, upon the written application of a majority of the real estate owners of

Election on question of subscription.

said County, Township, city or town, specifying the amount therein to be subscribed in money or bonds, to submit to the qualified electors of such County, Township, city or town, as the case may be, the question of "subscription" or "no subscription" to the capital stock of said company; and said County Commissioners, or the municipal authorities of any such city or town, shall have power to order an election, specifying the time, place and purpose of the election, and to appoint Managers according to law, who shall, without compensation, hold and conduct said election; at which election the ballots shall have written or printed thereon either the word "subscription" or "no subscription," the said County Commissioners, by resolution of their Board, and the said municipal authorities of said city or town, having first fixed the amount proposed to be subscribed, according to the request of the petition submitted to them, notice of said election being published for three weeks immediately prior thereto, in one or more of the County newspapers.

A. D. 1885.

Ballots.

Notice of election.

SEC. 14. It shall be the duty of the Managers to make returns and meet at their respective Court Houses or Council Chambers, as the case may be, and count the votes and declare the result as in other elections, which result shall be certified in writing by the Chairman of each Board of Managers to the Chairman of the Board of County Commissioners, or to the City or Town Council, as the case may be.

Declaration of result.

SEC. 15. In case a majority of the ballots cast shall have written or printed thereon "Subscription," then the Chairman of the Board of County Commissioners, in all cases of County or Township elections, shall be authorized and required to subscribe to the capital stock of said company, in behalf of said County or Township, the sum which may have been fixed and named in the resolution of said Board, published as aforesaid; which subscription, if in bonds, shall be made in seven per cent. bonds, as aforesaid, with interest payable annually; if in money, shall be in such annual installments as shall have been named in the petition and in the resolution of the said Board; and all tax levies for the purpose of raising funds to pay said bonds or coupons, or said sums of money subscribed, shall be made upon the taxable property in such Counties or Townships; and if a majority of the ballots cast in any city or town election

County or Township subscription.

Bonds.

Tax levies.

City or town subscription.

A. D. 1885.

shall be for "subscription," the proper corporate authorities of such city or town are authorized and required to subscribe in behalf of such city or town, in like manner and to like extent as the County Commissioners are herein required in all cases of County or Township subscriptions.

Tax to pay interest.

SEC. 16. That for the payment of the interest on said bonds voted by any County or Township, the County Commissioners shall issue their warrant, directed to the County Auditor, requiring him to levy and assess such per centum upon the taxable property in said County or Township, as the case may be, as may be necessary to pay said interest, which shall be known and styled in the Tax Books as said railroad tax, and he shall enter the same upon the tax duplicate to be turned over to the Treasurer, which shall be his warrant for collecting the said tax, which shall be

Collection of B. R. tax.

collected by the said Treasurer of such County under the same regulations as are now provided by law for the collection of State and County taxes therein, and which shall be paid over by the said Treasurer of the County so voting such subscriptions to the holders of said bonds as the said interest shall become due.

Municipal corporations tax.

In case of the issuing of bonds by municipal corporations, the corporate authorities of such municipalities shall annually levy and collect, in same manner as ordinary corporation taxes are collected, an amount sufficient to meet the interest on such bonds as the same becomes due.

Tax to pay installments of County or Township.

SEC. 17. That for the payment of any money subscriptions voted under this Act, the County Commissioners of the respective Counties shall levy a tax upon the taxable property of such Counties or Townships sufficient to pay such subscriptions on each installment as it may become due, which tax shall be levied and assessed by the County Commissioners and County Auditor, and be collected by the County Treasurer in the same manner in which other State and County tax is collected: *Provided, however,* That the said tax may be levied and assessed at a special meeting of the County Commissioners if the time of the annual

Of cities or towns.

meeting has passed. The corporate authorities of any city or town so subscribing shall in like manner levy and assess a tax upon the taxable property of said city or town sufficient to pay such subscription on each installment as it becomes due, to be collected as other municipal taxes are collected, at the first annual collection of taxes next after such subscription, and

annually thereafter till all the installments are paid. All moneys collected on account of any subscriptions in money under this Act shall, as soon after collection as practicable, be turned over by the County Treasurer, or City or Town Treasurer as aforesaid, to the Treasurer of the said company, or their legally authorized agent, if any.

A. D. 1885.

To be paid to
R. R. Company.

SEC. 18. That in collecting said taxes the County, City or Town Treasurer shall deliver to the taxpayer a special receipt therefor, which shall express that the amount therein is the tax for said railroad. And when any person, a holder of such receipts issued in his own name, or in that of another person, and duly transferred to such holder by endorsement thereon of the name of the person to whom the same was issued, shall present an amount thereof to the President of said company equal to one share of the stock of the said company, the said President shall cause to be issued to the holder of such receipt one share of stock, and such person shall be a stockholder in said company from the date of the scrip for such stock so issued as aforesaid. And the like proceedings and rights and liabilities shall be had and attach to any person who may present such tax receipts amounting to more than one share: *Provided*, That said scrip shall not be issued for any fractional part of a share.

Special receipt.

To be redeemable in stock.

Proviso.

SEC. 19. That for the purposes of this Act all the Counties, and the Townships in said Counties, along the line of the railroad, or which are interested in its construction, as herein provided for, shall be, and they are hereby declared to be, bodies politic and corporate, and vested with the necessary powers to carry out the provisions of this Act, and shall have all the rights and be subjected to all the liabilities in respect to any rights or causes of action growing out of the provisions of this Act. The County Commissioners of the respective Counties are declared to be the corporate agents of the Counties or Townships so incorporated and situate within the limits of the said Counties respectively.

Counties and Townships incorporated.

County Commissioners agents of such corporations.

SEC. 20. In all conventions of stockholders of said company, such Counties, Townships, cities or towns as may subscribe to the capital stock shall be represented by not less than three nor more than five delegates, to be appointed for such purpose, by the corporate authorities of such cities or towns, or the County Commissioners of the respective Counties or Townships in such Counties.

Proxies of stock held by Counties, &c.

A. D. 1885.
Public Act
for 30 years.

SEC. 21. That this Act shall be held and deemed a public Act, and shall vest and continue in said company and their successors for and during the term of thirty years, to be computed from time of the approval of this Act.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

No. 68. AN ACT TO AUTHORIZE THE FUTURE PROGRESS SOCIETY, OF NEWBERRY, TO PROVIDE A SYSTEM OF LIFE INSURANCE AMONG ITS MEMBERS AND DISPOSE OF UNCLAIMED BENEFIT FUNDS.

SEC. 1.—Insurance powers.

SEC. 2.—Custodian and his duties.

Insurance powers.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Future Progress Society, of Newberry, shall have power to make laws providing for regulating a system of life insurance among its members for the mutual benefit of the said members.

Custodian.

SEC. 2. That the said society shall be authorized to elect a custodian, who shall not be a member of the said society, who shall execute his bond to the society for the faithful performance of the duties of his office, in such sum as the society may think proper; and it shall be the duty of the said custodian to take into his custody such benefit funds as, after a lapse of six months from the death of a member holding a benefit certificate,

His duties.

as are not paid to the beneficiaries under the said certificate, their guardian or legal representatives.

A. D. 1885.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,

Governor.

AN ACT TO LIMIT THE NUMBER OF TRIAL JUSTICES IN FAIRFIELD COUNTY, FIX THEIR TERRITORIAL JURISDICTION, AND PROVIDE FOR THEIR COMPENSATION.

No. 69.

SEC. 1.—Seven Judicial Circuits.

SEC. 2.—Governor to appoint. Residence.

SEC. 3.—Jurisdiction.

SEC. 4.—Compensation of Trial Justices.

SEC. 5.—Compensation of Constables.

SEC. 6.—Costs to be paid to County Treasurer.

SEC. 7.—Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the County of Fairfield shall be divided into seven Judicial Districts, as follows: The First District shall embrace Feasterville and Rock Creek Townships; the Second District shall embrace Brice and Jackson Creek Townships; the Third District shall embrace Gladden Grove and Wateree Townships; the Fourth District shall embrace Oakland and Mount Zion Townships; the Fifth District shall embrace Bear Creek and Ridgeway Townships; the Sixth District shall embrace Simpson and Green Briar Townships; and the Seventh District shall embrace Horeb and Jenkinsville Townships.

Seven Judicial Circuits.

First District.

Second.

Third.

Fourth.

Fifth.

Sixth.

Seventh.

SEC. 2. That His Excellency the Governor be, and he is hereby, authorized and required to appoint one Trial Justice for each of said Judicial Districts, who may reside at any place therein, except the Trial Justice in the Fourth District, who shall be required to reside in the Town of Winnsboro.

Governor to appoint.

Residence.

SEC. 3. That in all prosecutions triable by them, the said Trial Justices shall each have exclusive jurisdiction with the

Jurisdiction.

A. D. 1885.

limits of his own District; and in prosecutions cognizable by the Court of General Sessions they shall have jurisdiction throughout said County: *Provided*, That prosecutions may be removed from one Trial Justice to another for the causes and in the manner now provided by law.

Compensation
of Trial Jus-
tices.

SEC. 4. That each Trial Justice shall receive, as compensation for his services, from the said County a salary of two hundred dollars per annum, except the Trial Justice in the Town of Winnsboro, who shall be allowed the sum of two hundred and fifty dollars, payable quarterly, which shall be in lieu of all fees and costs in criminal cases.

Compensation
of Constables.

SEC. 5. That said Trial Justices shall each receive from said County, in addition to his salary, the sum of one hundred and twenty-five dollars per annum, except the Trial Justice in the Town of Winnsboro, who shall be allowed for his Constable the sum of one hundred and fifty dollars, payable quarterly, if so much be necessary, to be used by him in compensating such person or persons as may be appointed or employed by him as Constable; and such Constable shall not receive any sum of money from the said County or from any person for any service rendered by him in any criminal case, under such appointment or employment, except as herein provided.

Costs to be
paid to County
Treasurer.

SEC. 6. That each of said Trial Justices shall collect and pay over to the County Treasurer of said County all costs in criminal cases to which he or the Constable appointed or employed by him would have been entitled but for the provisions of this Act.

Repealing
clause.

SEC. 7. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO PROHIBIT THE SALE OF INTOXICATING LIQUORS
WITHIN THE CORPORATE LIMITS OF THE TOWN OF JONES-
VILLE, IN THE COUNTY OF UNION.

A. D. 1885.

No. 70.

SEC. 1.—Sale of liquors prohibited.

SEC. 2.—Punishment for violations.

SEC. 3.—Public Act until repealed.

SEC. 4.—Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the first day of January, 1886, it shall be unlawful for any person or persons to sell, or offer or expose for sale, or dispose of by traffic, barter or otherwise, any ardent spirits or intoxicating liquors within the corporate limits of the Town of Jonesville, in the County of Union.

Sale prohibited.

SEC. 2. Any person or persons violating the provisions of the preceding Section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum of not less than two hundred dollars or imprisoned for a term of not less than six months, or both fined and imprisoned, in the discretion of the Court trying the case.

Punishment for violations.

SEC. 3. This Act shall be deemed a public Act and shall continue in force until repealed.

Public Act until repealed.

SEC. 4. That all Acts and parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Repealing clause.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,

Governor.

A. D. 1835.
 No. 71.

AN ACT TO AMEND SECTION 2487 OF THE GENERAL STATUTES,
 RELATING TO STEALING GRAIN AND COTTON FROM THE
 FIELD.

Amendment of Section 2487 of General Statutes.

Be it enacted by the Senate and House of Representatives
 of the State of South Carolina, now met and sitting in Gene-
 ral Assembly, and by the authority of the same, That Sec-
 tion 2487 of the General Statutes be, and the same is hereby,
 amended, so that the said Section shall read as follows :

Gen. Stat. §
 2487 amended.

Section 2487
 as amended.

SECTION 2487. Whoever shall steal from the field any grain,
 cotton, or vegetables, whether severed from the freehold or not,
 shall be deemed guilty of misdemeanor, and, on conviction
 thereof, shall be punished by imprisonment for not more than
 five years, or by a fine of not more than five hundred dollars.

In the Senate House, the twenty-second day of December, in
 the year of our Lord one thousand eight hundred and eighty-
 five.

J. C. SHEPPARD,
 President of the Senate.
 JAMES SIMONS,
 Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
 Governor.

No. 72. AN ACT TO DIRECT THE COMPTROLLER GENERAL TO REPORT
 THE NAMES OF ALL CITIZENS OF THIS STATE WHO ARE
 DISABLED FROM EARNING A LIVELIHOOD BY REASON OF
 WOUNDS AND OTHER DISABILITIES INCURRED DURING THE
 LATE WAR BETWEEN THE STATES.

SEC. 1.—Comptroller General to investigate and report.

SECTION 1. *Be it enacted* by the Senate and House of Repre-
 sentatives of the State of South Carolina, now met and sitting
 in General Assembly, and by the authority of the same, That
 the Comptroller General be, and he is hereby, instructed to
 investigate and report to the next session of the General Assem-
 bly the names and condition of all citizens of this State who

Comp. Gen'l
 to investigate
 and report.

are unable to earn a livelihood by reason of wounds or other disabilities incurred while in the service of the State during the late war between the States.

A. D. 1885.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,

Governor.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PERMIT PERSONS IN GREENVILLE COUNTY LIABLE TO ROAD DUTY TO PAY A COMMUTATION IN LIEU OF WORKING THE ROADS." No. 73.

Sec. 1.—Amendment as to expenditure of the moneys received.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act entitled "An Act to permit persons in Greenville County liable to road duty to pay a commutation in lieu of working the roads," approved on the 23d day of December, 1882, be, and the same is hereby, amended, so that said Section shall read as follows :

Act of 1878, § 2,
18 Stat. 241,
amended.
See 18 Stat.
326, § 2.

SECTION 2. All money so paid in commutation of work on the roads shall be kept separate from the general County funds, and shall be exclusively applied by the County Commissioners to repairing the highways of the County, by contract or otherwise, as shall be deemed most expedient: *Provided*, That said County Commissioners be required to expend said money upon those sections of the public roads whereon the persons paying such commutation tax may be liable for road duty.

Section as
amended.

Money to be
expended
where receiv-
ed.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,

Governor.

A. D. 1885.

No. 74.

AN ACT PROVIDING FOR CERTAIN CHANGES IN THE NUMBER AND LOCATION OF THE VOTING PRECINCTS IN THE SEVERAL COUNTIES OF THIS STATE, AS ESTABLISHED BY "AN ACT TO AMEND PART I, TITLE II, CHAPTER X, SECTION 163, OF THE GENERAL STATUTES OF SOUTH CAROLINA, RELATING TO THE LOCATIONS AND NAMES OF VOTING PRECINCTS, AND ACTS AMENDATORY THEREOF," APPROVED DECEMBER 24TH, 1883.

SEC. 1.—Changes in several Counties.

SEC. 2.—Effects of changes on registration.

SEC. 3.—Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following changes be made in the number and location of the precincts in the several Counties of this State, established by "An Act to amend Part I, Title II, Chapter X, Section 163, of the General Statutes of South Carolina, relating to the location and names of voting precincts and Acts amendatory thereof," approved December 24th, 1883 :

Changes in
voting pre-
cincts.

18 Stat. 571.

Abbeville. In Abbeville County, strike out "McKittrick's Mills" and add "McCormick."

Anderson. In Anderson County, strike out "Ball's Mill" and "Millford's" and add "Hopewell Cross Roads School House" and "Carswell Institute."

Berkeley. In Berkeley County, add "Mt. Olivet Church." There shall be an additional voting precinct in Christ Church Parish, County of Berkeley, included in the Seventh Congressional District, for the election of Presidential Electors and Congressmen, at the Brick Episcopal Church, on the Georgetown road, within a few miles of the Town of Mount Pleasant, and no voter not resident of the Town of Mount Pleasant shall vote for member of Congress at the voting precinct in the Town of Mt. Pleasant.

Colleton. In Colleton County, add "Doctor's Creek" and "Knightsville."

Edgefield. In Edgefield County, strike out "Talbert's Store," "Boutwell's," and add "Rehobeth," "Modoc," "Kinard's Store" and "Plumb Branch."

Georgetown. In Georgetown County, add "Cedar Creek," at or near Gour-dine's Chapel."

Greenville. In Greenville County, strike out I. L. Goodwin's and add "Jennings's Mill;" strike out "Holly Springs Church and insert in lieu thereof W. K. Grant's."

In Horry County, strike out "Socastee School House" and add Dusenberry and Sarvis' Store. A. D. 1885.
 In Kershaw County, add "Turkey Creek School House." Horry.
 In Lexington County, add "Batesburg," and strike out "Clark's Mills" and insert in lieu thereof F. S. Hook's. Kershaw.
 In Spartanburg County, strike out "Thorn's" and add "Arrowwood School House." Lexington.
 In Union County, add "Coleraine." Spartanburg.
 In Williamsburg County, strike out "Pipkin's Store, Graham's Cross Roads and McAllister's School House," and add "Bloomingdale," "Lake City," "Hinson" and "Little Salem." Union.
 In Marion County, add "Temperance Hill," in Moody Township. Williamsburg.
 In York County, add "Thompson's Mill, in Bethel Township." Marion.

SEC. 2. That whenever one polling place has been changed to another place in said Township, or where the name of the polling place has been changed since the last general election, the registration of voters for the former polling place shall be valid and effectual for the new polling place or precinct; and where one or more additional polling places or precincts have been established in the same Township, or where a new precinct has been established in a Township which formerly had none, it shall be the duty of the Supervisor of Registration to change the certificates of registration of voters entitled by proximity of residence to vote at such new precinct, requiring in every case a surrender and cancellation of the former registration certificate, and requiring such evidence as he may deem proper as to the right of the elector to such change. Effect on registration.

SEC. 3. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed. Supervisor to change certificates.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
 President of the Senate.
 JAMES SIMONS,
 Speaker House of Representatives.

Approved December 23d, A. D. 1885.

HUGH S. THOMPSON,
 Governor.

A. D. 1885.

No. 75.

AN ACT TO VALIDATE ALL OFFICIAL ACTS OF THE SHERIFF OF DARLINGTON COUNTY WHILE HOLDING OFFICE BY VIRTUE OF HIS ELECTION UNDER SECTION 642 OF THE REVISED STATUTES, TO CHANGE THE TIME OF HIS ELECTION, AND TO AUTHORIZE AND EMPOWER THE GOVERNOR TO COMMISSION HIM.

SEC. 1.—Acts of Sheriff confirmed.

SEC. 2.—Time fixed for future elections.

SEC. 3.—Governor to commission W. P. Cole.

SEC. 4.—Repealing clause.

Acts of Sheriff confirmed.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all official acts of the Sheriff of Darlington County performed under and by virtue of his election to the said office of Sheriff pursuant to Section 642 of the Revised Statutes, and which would otherwise be valid if he had been a regularly elected and commissioned Sheriff, be, and the same are hereby, in all respects confirmed and made valid.

Time of election for Sheriff.

SEC. 2. That after the passage of this Act the election for Sheriff of said County shall be held in the year 1888 and every fourth year thereafter.

Governor to commission W. P. Cole.

SEC. 3. That the Governor be, and he is hereby, authorized and empowered to commission W. P. Cole as Sheriff of said County for a period of four years from the date of his election to said office in 1884.

Repealing clause.

SEC. 4. That all Acts and parts of Acts inconsistent with this Act be, and are hereby, repealed.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 23d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROHIBIT
THE SALE OF SPIRITUOUS LIQUORS, WINE AND BEER IN
THE TOWN OF JOHNSTON, IN EDGEFIELD COUNTY."

A.D. 1885.

No. 76.

Depriving druggists of right to sell on prescription.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to prohibit the sale of spirituous liquors, wine and beer in the Town of Johnston, in Edgefield County," approved February 9th, 1882, be amended by striking out the words in Section (1) one "except by a druggist for medicinal purposes, upon the written certificate of a physician attending a patient." So that said Section, as amended, shall read as follows:

A. A. 1878, §1.
17 Stat. 1095,
amended.

Right of drug-
gist to sell
stricken out.

SECTION 1. That from and after the passage of this Act the sale of spirituous liquors of any kind, wine and beer, in the Town of Johnston, in Edgefield County, is hereby prohibited; and it shall not be lawful for the corporate authorities of said town, or the County Commissioners of Edgefield County, to issue any license for such purpose.

Section as
amended.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 23d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.

No. 77.

AN ACT TO PRESCRIBE THE PRIORITIES OF CERTAIN STATUTORY LIENS.

SEC. 1.—Rank of liens for rent, for labor and for supplies.

SEC. 2.—Lien for rent need not be in writing.

SEC. 3.—Repealing clause.

Landlord to have prior lien for rent.

Laborers to have next lien.

Other liens to rank next.

Landlord's lien need not be in writing.

Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the landlord shall have a lien upon the crops of his tenant for his rent in preference to all other liens. That laborers who assist in making any crop shall have a lien thereon to the extent of the amount due them for such labor next in priority to the landlord, and as between such laborers there shall be no preference. That all other liens for agricultural supplies shall be paid next after the satisfaction of the liens of the landlord and laborers, and shall rank in other respects as they do now under existing laws.

SEC. 2. That no writing or recording shall be necessary to create the liens of the landlord, but such lien shall exist from the date of the contract, whether the same be in writing or verbal.

SEC. 3. That all Acts and parts of Acts inconsistent with or supplied by this Act be, and the same are hereby, repealed.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 23d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF GILBERT HOLLOW, IN THE COUNTY OF LEXINGTON," AND ALL ACTS AMENDATORY THEREOF, BY STRIKING OUT THE WORDS "GILBERT HOLLOW" WHEREVER THEY OCCUR, AND SUBSTITUTING IN LIEU THEREOF THE WORD LEWIEDALE.

A. D. 1885.

No. 78.

SEC. 1.—Name of Gilbert Hollow changed to Lewiedale.

SEC. 2.—Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled An Act to incorporate the Town of "Gilbert Hollow," in the County of Lexington, and all Acts amendatory thereof, be, and the same are hereby, amended by striking out the words "Gilbert Hollow," wherever they occur, and substituting in lieu thereof the word "Lewiedale," and that the said town be hereafter known as, and called by, the name of "Lewiedale."

Name changed.
16 Stat. 755.
17 Stat. 72.

SEC. 2. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Repealing
clause.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.

JAMES SIMONS,
Speaker House of Representatives.

Approved December 23d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.

No. 79.

AN ACT TO PREVENT INJURY FROM UNSAFE BUILDINGS IN THE CITY OF CHARLESTON.

- SEC. 1.—Structure reported unsafe to be inspected and owner notified.
 SEC. 2.—Time allowed owner. Immediate action.
 SEC. 3.—Board of survey where owner neglects to comply.
 SEC. 4.—Action in case of continued refusal. Costs. Proviso.
 SEC. 5.—Forfeiture for every day's neglect.
 SEC. 6.—Jury trial.
 SEC. 7.—Finding of jury.
 SEC. 8.—Costs of trial.
 SEC. 9.—Trial not to prevent other rights.
 SEC. 10.—Building in process of erection. Injunction.
 SEC. 11.—Buildings dangerous at fire. Notice to be posted.
 SEC. 12.—Penalty for removing notice.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That if any building or part of a building, staging or other structure, or anything attached to or connected with any building or any other structure in the City of Charleston, shall from any cause be reported dangerous or unsafe, so as to endanger life and limb, it shall be the duty of the Chief of Police and Mayor of the said city to inspect such structure, and if, in their opinion, the same be dangerous, they shall immediately notify the owner, agent or other party having an interest in said structure, to cause the same to be made safe and secure, or removed, as may be necessary.

SEC. 2. The person or persons so notified shall be allowed until twelve o'clock noon of the day following the service of such notice in which to commence the securing or removal of the same; and he or they shall employ sufficient labor to remove or secure the same as expeditiously as can be done: *Provided, however,* That in cases where the public safety requires immediate action the Chief of Police and Mayor of the said city may enter upon the premises with such workmen and assistants as may be necessary, and cause the said unsafe structure to be shored up, taken down, or otherwise secured without delay, and a proper fence or boarding to be put up for the protection of passers-by.

SEC. 3. If the owner, agent, or other party interested in the said unsafe structure, having been notified, shall refuse or neglect to comply with the requirements of said notice within the time specified in Section 2, then a careful survey of the premises named in said notice shall be made by three disinterested per-

Building or
structure r e-
ported unsafe.

To be in-
spected.
And the owner
notified.

Time allowed
owner to make
safe.

Immediate
action.

If owner neg-
lect.

Survey to be
made by three
persons.

sons, one to be appointed by the Chief of Police and Mayor of the said city, one by the owner or other interested party, and the third chosen by these two, and the report of such survey shall be reduced to writing, and a copy served upon the owner or other interested party; and if said owner or other interested party refuse or neglect to appoint a member of said Board of Survey, then the survey shall be made by the City Engineer and the Chief of the Fire Department of Charleston, and in case of disagreement they shall choose a third person.

A. D. 1885.

Where the owner neglects to appoint.

SEC. 4. Whenever the report of any such survey, had as aforesaid, shall declare the structure to be unsafe or dangerous to life and limb, the Chief of Police and the Mayor of the said city shall, upon continued refusal or neglect of the owner or other interested party, cause such unsafe or dangerous structure to be taken down or otherwise made safe; and the costs and charges shall become a lien upon said estate, to be collected according to law, but without prejudice to the right which the owner thereof may have to recover the same from any lessee or other person liable for expense of repairs: *Provided*, That nothing herein contained shall authorize the recovery by the lessor of the lessee of the costs of any charges which may have been rendered necessary through the default or negligence of the lessor, or through want of repair, or defects existing in said premises at the commencement of the lease.

Continued refusal or neglect.

Costs and charges.

Proviso.

SEC. 5. Upon the citation of any structure as unsafe or dangerous, by the Chief of Police and Mayor of the said city, if the owner or other interested party, being notified thereof in writing, shall refuse or neglect to cause the said structure to be taken down or otherwise made safe, said owner or other interested party shall forfeit to the use of said city, for every day's continuance of said refusal or neglect, a sum not more than twenty dollars, said sum to be recoverable as debts are now by law recoverable.

Forfeiture for every day's neglect.

SEC. 6. Any owner or other interested person aggrieved by any such order may, within three days after the service thereof upon him, apply for a jury to the Court of Common Pleas, if sitting in the County, or to any Judge thereof in vacation. The Court or Judge shall issue a warrant for a jury to be empaneled by the Clerk of the Court within fourteen days from the date of

Jury trial.

Warrant for jury.

A. D. 1885. the warrant, in the manner provided in Section 1551 of the General Statutes of this State.

Finding of jury. SEC. 7. The jury may affirm, annul or alter such order. and the Sheriff shall return the verdict to the next term of the Court for acceptance, and, being accepted, it shall take effect as an original order.

Costs of trial. SEC. 8. If the order is affirmed, costs shall be taxed against the applicant; if it is annulled, the applicant shall recover damages and costs against the city; if it is altered in part, the Court may render judgment as to costs as justice may require.

Trial not to prevent other rights. SEC. 9. Nothing contained in the three preceding Sections shall be construed to bar the right of the city to recover the penalty enacted in Section 5, for the continuance of the refusal or neglect of the owner or owners, or other interested party or parties, to cause the structure in question to be taken down or otherwise made safe, unless the order is annulled by the jury; but in default of such annulment, the city shall have the right to recover said penalty from the day of the original notice, as enacted in said Section.

Building in process of erection. SEC. 10. In case the building or structure cited as unsafe or dangerous shall be in process of erection, alteration or repair, it shall be lawful for the Judge of the Court of Common Pleas, or any Judge thereof, either in term time or vacation, to issue forthwith an injunction restraining further progress in the work on said building until the facts of the case shall have been investigated and determined as herein provided.

Buildings dangerous at fire. SEC. 11. If any building in the City of Charleston shall appear, upon examination by the Chief of Police and Mayor of the said city, to be specially dangerous to life or limb to members of the Fire Department or to citizens, in case of fire, by reason of insufficient thickness of walls, overloaded floors, defective construction, or other causes, such building shall be held and taken to be dangerous within the meaning of and subject to all the provisions of this Act; and the Chief of Police and Mayor of the said city, besides proceeding as hereinbefore provided, may affix a notice of the dangerous character of the structure to a conspicuous place on the exterior wall of said building.

Notice to be posted. SEC. 12. Any person or persons removing such notice, so affixed, shall be liable to a penalty of not less than ten nor more

Penalty for removing notice.

than fifty dollars for each and every offense, or to imprisonment not exceeding thirty days.

A. D. 1885.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 23d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO PROVIDE FOR THE COMPLETION OF THE MAIN BUILDING OF THE STATE HOUSE. No. 80.

SEC. 1.—Seventy-five thousand dollars and balance from 1885 appropriated.

SEC. 2.—How to be used and expended.

SEC. 3.—Commission to take charge of the work.

SEC. 4.—Modification of plan as to heating, lighting and roofing.

SEC. 5.—Building material and labor from Penitentiary.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the sum of seventy-five thousand dollars (\$75,000) be, and the same is hereby, appropriated for the purpose of defraying the expenses of continuing the construction of the State House for the year 1886, and that the sum now left in the hands of the Building Commission unexpended for the year eighteen hundred and eighty-five be, and the same is hereby, appropriated for use during the year eighteen hundred and eighty-six, under the provisions of this Act.

\$75,000 appropriated.

Unexpended balance from 1885.

SEC. 2. This appropriation shall only be used in completing the construction of the main building and Committee Rooms, and for roofing, lighting and heating said building, and shall not be used for any portion of the work not absolutely necessary for the preservation of the said main building, except that the said Commission may expend a sum not exceeding five thousand dollars of said sum for completing the necessary offices and conveniences therefor, either within or without the building.

How used.

A. D. 1885.

Commission to
take charge of
the work.

SEC. 3. That the Governor, Secretary of State, and Comptroller General be, and they are hereby, appointed a Commission to take charge of the work now in progress on contracts now in force, or contracts hereafter to be made, and to see that the work is completed according to contract and in pursuance of original design.

Modification
of plan as to
heating, light-
ing and roofing.

SEC. 4. That the Commission hereinbefore created shall have authority to modify the details of the plan for the completion of the State House in the matter of heating, lighting and roofing the same.

Building ma-
terial and labor
from Peniten-
tiary.

SEC. 5. That the Superintendent or Directors of the Penitentiary, at the request of said Commission, shall furnish as much building material and convict labor as the said Commission may deem necessary in the work herein authorized to be done.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 23d, A. D. 1885.

HUGH S. THOMPSON,

Governor.

No. 81. AN ACT TO MAKE APPROPRIATIONS FOR THE PAYMENT OF THE PER DIEM, MILEAGE AND STATIONERY CERTIFICATES OF THE MEMBERS OF THE GENERAL ASSEMBLY, THE SALARIES OF THE SUBORDINATE OFFICERS AND EMPLOYEES THEREOF, AND FOR OTHER PURPOSES HEREIN NAMED.

SEC. 1.—General appropriation clause.

SEC. 2.—Members and employees of the Senate.

SEC. 3.—Members and employees of the House.

SEC. 4.—Solicitors and employees in Engrossing Department.

SEC. 5.—Extra clerks. Preparing Acts for printer. Index to 18 Statutes.

SEC. 6.—Pay certificates.

SEC. 7.—To go into immediate effect. Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following sums, if so much be necessary, be, and the same

General ap-
propriation
clause.

are hereby, appropriated to meet the expenses of the General Assembly at the regular session beginning on the twenty-fourth day of November, 1885, to the close of the session, and for other purposes herein named, as is more specifically indicated in the several succeeding Sections of this Act, that is to say :

A. D. 1885.

SENATE.

SEC. 2. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to pay the expenses of the Senate from the twenty-fourth day of November, 1885, inclusive, to the close of the session, as follows :

For the per diem, mileage and stationery certificates of the members of the Senate and the presiding officer thereof, if so much be necessary, six thousand eight hundred dollars ; for the pay of T. Stobo Farrow, Clerk of the Senate, one thousand dollars ; for the pay of F. J. Loudette, Assistant Clerk of the Senate, two hundred and fifty dollars ; for the pay of L. T. Levin, Journal Clerk of the Senate, one hundred and twenty-four dollars, and four dollars per day for the number of days he may be actually engaged in the work of the Senate after the adjournment thereof, not to exceed twenty days, said number of days of such engagement to be certified by the Clerk of the Senate ; for the pay of A. D. Goodwin, Reading Clerk of the Senate, two hundred and fifty dollars ; for L. R. Marshall, Sergeant-at-Arms of the Senate, two hundred and fifty dollars ; for the pay of Sumter Earle, Bill Clerk of the Senate, one hundred and twenty-four dollars ; for the pay of J. Lamb Perry, Clerk of the Judiciary Committee of the Senate, one hundred and fifty-five dollars ; for the pay of W. N. Hamilton, Clerk of the Finance Committee of the Senate, one hundred and fifty-five dollars ; for the pay of Duncan C. Ray, Clerk of Committee on Incorporations of the Senate, one hundred and fifty-five dollars ; for the pay of George E. Friday and Thomas Whittle, Doorkeepers of the Senate, each ninety-three dollars ; for the pay of Julius T. Edwards, James Kelley, Mabin Griffin and W. W. Lazenburry, Laborers of the Senate, each sixty-two dollars ; for the pay of Adam Green, Porter in the office of the Clerk of the Senate, sixty-two dollars ; for the pay of Wesley G. Brown and Richard B. Fripp, Pages of the Senate, each sixty-two dollars ; for the pay of W. J. Arrants, Mail Carrier of the Senate, ninety-three dollars ; for the incidental or contingent fund of the Senate, six hundred dollars, if so much be

Members and
presiding officer.Clerk and
assistant.

Journal Clerk.

Reading Clerk.

Sergeant-at-Arms.

Bill Clerk.

Committee
Clerks.

Doorkeepers.

Other employees.

Contingent
fund.

A. D. 1885.

necessary, to be paid on certificates drawn by the President of the Senate and attested by the Clerk of the Senate, on accounts audited by the Committee on Contingent Accounts and passed by the Senate.

HOUSE OF REPRESENTATIVES.

SEC. 3. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to pay the expenses of the House of Representatives from the twenty-fourth day of November, 1885, inclusive, to the close of the session, as follows:

Members.	For the per diem, mileage and stationery certificates of the members of the House of Representatives, twenty-two thousand three hundred and twenty-five dollars; for the pay of John T.
Clerk and assistant.	Sloan, Clerk of the House of Representatives, one thousand dollars; for the pay of B. C. Sloan, Assistant Clerk of the House of Representatives, two hundred and fifty dollars; for the pay
Journal Clerk.	of W. H. Fitzsimmons, Journal Clerk of the House of Representatives, one hundred and twenty-four dollars, and four dollars per day for the number of days he may be actually engaged in the work of the House of Representatives after the adjournment thereof, not to exceed twenty days, said number of days of such engagement to be certified by the Clerk of the House of Representatives; for the pay of R. M. Anderson, Reading Clerk of the House of Representatives, two hundred and fifty dollars;
Reading Clerk.	for the pay of John D. Brown, Sergeant-at-Arms of the House of Representatives, two hundred and fifty dollars; for the pay of
Sergeant-at-Arms.	F. B. Gary, Bill Clerk of the House of Representatives, one hundred and twenty-four dollars; for the pay of H. M. Davidson, Clerk of the Committee of Ways and Means of the House of Representatives, one hundred and fifty-five dollars; for the pay of C. H. Nixon, Clerk of the Committee on Claims of the House of Representatives, one hundred and fifty-five dollars; for the pay of B. H. Rutledge, Jr., Clerk of the Judiciary Committee of the House of Representatives, one hundred and fifty-
Bill Clerk.	five dollars; for the pay of D. A. Dickson, Christopher Haynsworth and W. B. R. Gasque, Doorkeepers of the House of Representatives, each ninety-three dollars; for the pay of John
Committee Clerks.	Lake, Robie Cathcart, James R. Ware and Francis Dusenberry, Pages of the House of Representatives, each sixty-two dollars; for the pay of Counts Cross, William Green, Lewis Cross and Joe Hill, Laborers of the House of Representatives, each sixty-
Doorkeepers.	
Other employees.	

two dollars ; for the pay of James Adamson, Porter of the Committee rooms of the House of Representatives, sixty-two dollars ; for the incidental or contingent fund of the House of Representatives, one thousand dollars, if so much be necessary, to be paid on certificates drawn by the Speaker of the House of Representatives and attested by the Clerk of the House of Representatives, on accounts audited by the Committee on Contingent Accounts and passed by the House of Representatives.

A. D. 1885.

Contingent
fund.

ENGROSSING DEPARTMENT.

SEC. 4. That the sum of three thousand one hundred and eighty-one 80-100 dollars, if so much be necessary, be, and the same is hereby, appropriated to pay the expenses of the Engrossing Department of the General Assembly from the twenty-fourth day of November, 1885, inclusive, to the close of the session, as follows :

Appropriation
of \$3,181.80.

For the pay of W. St. Julien Jervey, T. M. Gilland, H. H. Newton, R. G. Bonham, J. E. McDonald, D. R. Duncan, James L. Orr and W. Perry Murphy, Solicitors, in the office of the Attorney General, and Arthur Mazyck, R. H. Colcock, S. M. Pickens, J. M. Miller, J. M. Bacot, E. P. McKissick, E. P. Hutson, E. W. Hughes and C. E. Bell, Engrossing Clerks, (in the office of the Attorney General,) each five dollars a day for each day's actual attendance upon the session of the General Assembly. To pay the mileage of the eight Circuit Solicitors as follows : W. St. Julien Jervey, twenty-six dollars ; H. H. Newton, twenty-nine dollars ; R. G. Bonham, thirteen 20-100 dollars ; D. R. Duncan, twenty dollars ; James L. Orr, twenty-eight 60-100 dollars ; T. M. Gilland, nineteen dollars ; J. E. McDonald, seven dollars ; W. Perry Murphy, thirty dollars ; for the pay of James W. Williams, Porter (in the Engrossing Department,) office of the Attorney General, sixty-two dollars ; for the pay of Lewis Thomas, temporary Special Assistant to the Keeper of the State House, sixty-two dollars ; to be paid on the joint certificate of the two Houses, signed by the presiding officers thereof and attested by the Clerks ; for the incidental or contingent expenses of the Engrossing Department, two hundred and fifty dollars, if so much be necessary, to be paid on certificates drawn by the Speaker of the House of Representatives and attested by the Clerk of the House of Representatives, on accounts audited by the Committee on Contingent Accounts and passed by the House of Representatives.

Solicitors.

Engrossing
Clerks.Mileage of
Solicitors.Other em-
ployees.Contingent
expenses.

A. D. 1885.

MISCELLANEOUS.

SEC. 5. That the following sums, if so much be necessary, be, and the same are hereby, appropriated for miscellaneous expenses, namely:

Extra clerical
services.

1. For the pay of extra clerical services in the Engrossing Department, one hundred dollars, to be paid on the joint certificates of the two Houses signed by the presiding officers thereof and attested by the Clerks, upon the application of the Attorney General.

Preparing
Acts for the
Printer.

2. For preparing for the printer, indexing and making marginal notes of the Acts and Joint Resolutions of the Regular Session of 1885, to be done under the supervision of the State Reporter, two hundred and fifty dollars.

Index to 18th
Statutes at
Large.

3. To pay the State Reporter for preparing and supervising the printing of a general index to the 18th Volume of the Statutes at Large, under direction of a Concurrent Resolution of General Assembly, session of 1884, two hundred dollars.

Pay certifi-
cates.

SEC. 6. That the President of the Senate and Speaker of the House of Representatives, respectively, shall furnish pay certificates for the amount of per diem and mileage due to each member of the Senate and House of Representatives, and to each officer and employee of that branch of the General Assembly to which such officer and employee shall respectively belong, signed by the respective officers, and properly attested by the Clerk of such branch of the General Assembly.

To go into
effect immedi-
ately.

SEC. 7. That this Act shall take effect from and immediately after its date of approval, and all Acts or parts of Acts incon-

Repealing
clause.

sistent with the provisions of this Act be, and the same are, for the purposes of this Act, hereby repealed.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 23d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND SECTION EIGHTEEN OF THE CODE OF PROCEDURE, IN REFERENCE TO THE TIME FOR HOLDING CIRCUIT COURTS IN THE FIRST CIRCUIT.

A. D. 1885.

No. 82.

SEC. 1.—Times of Court in Charleston, Berkeley and Orangeburg.

SEC. 2.—Act to go into effect immediately.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section eighteen of the Code of Procedure be amended so as to read as follows:

Section amended.

SECTION XVIII. The Circuit Courts of the First Circuit shall be held as follows:

I. The Court of General Sessions at Charleston, for the County of Charleston, on the third Mondays in February and June and the second Monday in November; and the Court of Common Pleas at the same place on the fourth Mondays in February and June and the third Monday in November.

Charleston.

II. The Court of General Sessions for the County of Berkeley shall be held at Mt. Pleasant on the first Mondays in February and June and the second Monday in October; and the Court of Common Pleas at the same place on the Wednesdays succeeding the first Mondays in February and June and the Wednesday succeeding the second Monday in October.

Berkeley.

III. The Court of General Sessions for the County of Orangeburg shall be held at Orangeburg on the second Monday in January and the first Monday in May and the third Monday in September; and the Court of Common Pleas at the same place on the Wednesday succeeding the first Mondays in January and May and the Wednesday succeeding the third Monday in September.

Orangeburg.

SEC. 2. That this Act shall take effect from and immediately after the date of its approval.

To go into immediate effect.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.

JAMES SIMONS,
Speaker House of Representatives.

Approved December 23d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885. **AN ACT TO AMEND SECTION 2190 OF THE GENERAL STATUTES, IN REGARD TO ACTIONS BY AND AGAINST EXECUTORS AND ADMINISTRATORS.**
 No. 83.

Time within which executor, &c., may not be sued.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2190 of the General Statutes be amended by striking out the words "nine months after such testator's or intestate's death," at the end thereof, and inserting in lieu thereof the words "twelve months after the probate of will or grant of administration." So that said Section as amended shall read as follows:

Gen. Stat.
 § 2190 amended.
 As to time of
 suits against
 executors.

Section as amended. **SECTION 2190.** No action shall be commenced against any executor or administrator for the recovery of the debts due by the testator or intestate until twelve months after the probate of will or grant of administration.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
 President of the Senate.
 JAMES SIMONS,
 Speaker House of Representatives.

Approved December 23d, A. D. 1885.

HUGH S. THOMPSON,
 Governor.

No. 84. **AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF PUBLIC SCHOOLS FOR THE CITY OF CHARLESTON TO MAKE AN APPROPRIATION FOR THE PURPOSE OF PROCURING A BUST IN MARBLE OF THE HONORABLE C. G. MEMMINGER.**

Bust to be procured, but two mills tax not to be so used.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Board of Commissioners of Public Schools for the City of Charleston be, and they are hereby, authorized to make an

Bust of Mr.
 Memminger.

appropriation, from the funds under their control, of so much money as may be necessary to procure a bust in marble of the Honorable C. G. Memminger, for over thirty years the active Chairman of the Board: *Provided*, That no part of the two mill school tax be used for this purpose. A. D. 1885.
But not from
2 mill tax.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 23d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE SOUTHERN COAST AND RIVER NAVIGATION COMPANY," APPROVED DECEMBER 23, 1879. No. 85.

Section 2, as to liability of stockholders, amended.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the Southern Coast and River Navigation Company," approved December 23, 1879, be, and the same is hereby, amended by striking out the second Section of the same and inserting in lieu thereof the following, to be known as Section 2: A. A. 1879,
§ 2, 17 Stat. 99
amended.

SECTION 2. Each stockholder in the said corporation shall be jointly and severally liable to the creditors thereof in an amount, besides the value of his share or shares therein, not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditor was made: *Provided*, That such demand shall have been payable within one year: *Provided, also*, That proceedings to hold such stockholder liable therefor shall be commenced within two years after such debt may have become due and whilst he remains a stockholder therein, or within two years after he shall have ceased to Section 2 as
amended.
Liability of
stockholders.

Provisoos.

A. D. 1885. *be such stockholder: Provided, further, That no person holding a share or shares as executor, administrator, trustee, or in any other fiduciary capacity, shall be liable thereon beyond the value of the estate held by him as such executor, administrator, trustee, or in any other fiduciary capacity.*

Trustees, &c.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 23d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

No. 86. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF WESTMINSTER, IN THE COUNTY OF OCONEE," APPROVED MARCH 17TH, 1875.

SECTION 1, as to town limits, amended.

A. A. 1875,
§ 1, 15 Stat. 923,
amended as to
town limits.

See also 18
Stat. 81, 736.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to incorporate the Town of Westminster, in the County of Oconee," approved March 17th, 1875, be amended by striking out all of said Section from the word "mile" on the ninth line thereof, and inserting in lieu thereof the following: "From the intersection of Retreat street with Railroad street in every direction, so as to form a circle, the diameter of which shall be one and one-fourth miles." So that said Section as amended shall read as follows: That from and after the passage of this Act all citizens of this State who have resided thirty days in the Town of Westminster shall be deemed, and are hereby declared to be, a body politic and corporate, and the said town shall be called and known by the name of Westminster, and its corporate limits shall extend five-eighths of one mile from the intersection of Retreat street with

Railroad street in every direction, so as to form a circle, the diameter of which shall be one and one-fourth miles. A. D. 1885.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 23d, A. D. 1885.
HUGH S. THOMPSON,
Governor.

AN ACT TO CHANGE THE NAME OF BESSIE LEE, OF GREENVILLE COUNTY, TO BESSIE STUART, AND ENABLE HER TO INHERIT FROM ALEXANDER STUART. No. 87.

Name changed and right of inheritance given.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of Bessie Lee, of Greenville County, be, and the same is hereby, changed to Bessie Stuart, and that in case the said Alexander Stuart shall die intestate the said Bessie Stuart shall inherit from him in the same manner as if she had been born his legal heir. Name changed.
Right of inheritance.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 23d, A. D. 1885.
HUGH S. THOMPSON,
Governor.

A. D. 1885.

No. 88.

AN ACT TO ENABLE WILLIAM MOULTRIE GOURDIN TO APPLY FOR ADMISSION TO THE BAR.

May apply and be admitted if found qualified.

Granted same rights as an adult.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That William Moultrie Gourdin, a minor, under the age of twenty-one years, be, and he is hereby, permitted to apply for admission to the Bar forthwith upon the passage of this Act, and, if found qualified, he shall be admitted to all the privileges granted by Section 2160 of the General Statutes of South Carolina to persons applying for permission to practice as attorneys at law.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 23d, A. D. 1885.

HUGH S. THOMPSON,

Governor.

No. 89. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF HAMPTON COURT HOUSE," APPROVED DECEMBER 23, 1879.

Section 8, as to rate of taxation, amended.

A. A. 1879.
§ 8, 17 Stat. 82,
amended as to
rate of taxation.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 8 of an Act entitled "An Act to incorporate the Town of Hampton Court House," approved December 23, 1879, be, and the same is hereby, amended by striking out the word "fifteen," in the fourth line thereof, and substituting therefor the word "fifty." So that said Section as amended shall read as follows :

SECTION 8. That the said Town Council shall have power to impose an annual tax upon all real and personal property within the limits of said town: *Provided*, Said tax does not exceed the sum of fifty cents on the one hundred dollars.

A. D. 1885.

Section as amended.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 23d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO CHANGE THE DATES FIXED FOR THE MEETINGS OF THE BOARDS OF EQUALIZATION, AND FOR THE PERFORMANCE OF OTHER DUTIES, SO AS TO CONFORM TO THE TIME OF LISTING PROPERTY FOR TAXATION. No. 90.

- SEC. 1.—Change in time of meeting of County Board.
SEC. 2.—Change in time of meeting of State Railroad Board.
SEC. 3.—Change in time of meeting of State Board of Equalization.
SEC. 4.—Change of date of Auditor's Abstract.
SEC. 5.—Change of date of Treasurer's Duplicate.
SEC. 6.—Change of date of Abstract of Duplicate.

Whereas the General Assembly did, at its last session, pass an Act entitled "An Act to change the time of listing property for taxation," whereby it was provided that returns of property for taxation should be made annually, from the first day of January to the twentieth day of February, instead of from the first day of May to the twentieth day of June; *and whereas* this change necessitates corresponding changes in the times provided for the performance of other duties connected with the Tax Department; therefore,

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to amend Section 254 of the General Statutes of the State, (1882,) so far as the same relates to the time of meeting of the County Board of Equalization," approved 21st

Preambles.
18 Stat. 784.

A. A. 1882, 13
Stat. 80, as to
time of meet-
ing of County
Board, amend-
ed.

A. D. 1835. of December, 1882, be amended by striking out all after the words
 See 18 Stat. 554. "so that said Section shall read," and inserting in lieu thereof:
 Such Board shall meet on the second Tuesday of March in each
 year, and at such other times as the Chairman, or a majority of
 the Board, shall direct, at the Auditor's office of the County.

Gen. Stat. SEC. 2. That Section 186 of the General Statutes be amended
 § 186, as to time of meeting of State R. R. Board, amended. by striking out on the fifth line of the said Section the word
 "September" and inserting in lieu thereof the word "May."
 So that the Section as amended shall read: "The Treasurer of
 the State, Secretary of State, Comptroller General and the
 Attorney General of the State shall constitute a State Board of
 Equalization, (a majority of whom shall constitute a quorum for
 the transaction of business,) who shall meet at the office of the
 Comptroller General, at the Capital, on the second Wednesday
 of May annually.

Gen. Stat. SEC. 3. That paragraph three of Section 258 of the General
 § 258, as to time of meeting of State Board, amended. Statutes, fixing the date for the meeting of the State Board of
 Equalization, be amended by striking out the words "and on
 the same day" in second line of said paragraph, and inserting
 in lieu thereof the words "and on the second Tuesday of July,"
 so that as amended it shall read: "The said Board shall meet
 at Columbia on or before the fifth day of October, one thousand
 eight hundred and eighty-two, and on the second Tuesday in
 July in every fourth year thereafter.

Gen. Stat. SEC. 4. That Section 233 of the General Statutes be amended
 § 233, as to time for Auditor's abstract, amended. by striking out the word "September," in the first line, and
 inserting in lieu thereof the word "June," and by striking out
 the word "real," in the third line. So that the Section as
 amended shall read: "Each County Auditor shall, on or before
 the thirtieth day of June in each year, make out and transmit
 to the Comptroller General and the County Commissioners an
 abstract of the property of each district in his County."

Gen. Stat. SEC. 5. That Section 234 of the General Statutes be amended
 § 234, as to time for Treasurer's duplicate. by striking out the words "fifteenth day of November," in the
 sixteenth line, and inserting in lieu thereof the words "thir-
 tieth day of September." So that the Section as amended shall
 read: "Which list or schedule, made out as aforesaid, shall be
 retained in the County Auditor's office, and another made for
 the County Treasurer, and delivered to him on or before the
 thirtieth day of September annually, as his warrant for the col-
 lection of the taxes, assessments and penalties charged thereon."

SEC. 6. That Section 248 of the General Statutes be amended by striking out, on the first line, the words "November tenth," and inserting in lieu thereof the words "September thirtieth." So that the Section as amended shall read: "Each County Auditor shall annually, on or before September thirtieth, make out and transmit by mail to the Comptroller General a complete abstract of the duplicate of his County."

A. D. 1885.

Gen. Stat.
§ 248, as to time
for abstract of
duplicate.

In the Senate House, the twenty-third day of December, in the year of our Lord, one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 23d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO EXTEND THE CHARTER OF THE HOME SAVINGS AND BUILDING ASSOCIATION, OF CHARLESTON. No. 91.

Extended for the space of three years.

Whereas the Home Savings and Building Association, of Charleston, was incorporated by an Act of the General Assembly entitled "An Act to incorporate the Home Savings and Building Association, of Charleston," approved January 21, 1882; *and whereas* in said Act it is provided in Section 5 that the corporation shall continue for the space of five years, at the end of which time its entire property shall be sold, and the proceeds divided *pro rata* among its then stockholders; *and whereas* it is necessary that the charter of said corporation shall be extended so as to allow the affairs of the same to be fully wound up; therefore,

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the charter of the Home Savings and Building Association, of Charleston, with all Acts and parts of Acts amendatory thereof, be, and the same is hereby, extended for the space of three (3) years.

Preambles.

17 Stat. 667.

Extension for
3 years.

A. D. 1885.

years from the expiration of the same, as provided in the fifth Section of the said charter.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 23d, A. D. 1885.

HUGH S. THOMPSON,

Governor.

No. 92. AN ACT TO AMEND SECTION TWO (2) OF AN ACT ENTITLED "AN ACT RESPECTING TRIAL JUSTICES IN THE COUNTIES OF NEWBERRY, EDGEFIELD, ANDERSON, KERSHAW, LAURENS, CHARLESTON, BERKELEY, PICKENS AND SPARTANBURG.

Act of 1884, § 2, amended, as to salaries in Anderson.

A. A. 1884, § 2,
18 Stat. 908, as
to salary of
Trial Justices
in Anderson,
amended.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section two (2) of an Act entitled "An Act respecting Trial Justices in the Counties of Newberry, Edgefield, Anderson, Kershaw, Laurens, Charleston, Berkeley and Spartanburg be, and the same is hereby, amended by inserting the words "and fifty" between the words "hundred dollars" in the fifth line of said Section, and by striking out the word "twenty" in the sixth line of said Section and inserting the word "forty" in lieu thereof. So that the said Section as amended shall read as follows:

Section as
amended.
Number.

Location.
Salaries.

SECTION 2. That the Governor is authorized, by and with the advice and consent of the Senate, to appoint nineteen (19) Trial Justices, if so many be necessary, for the County of Anderson, two in the City of Anderson, who shall receive a salary of one hundred and fifty dollars each per annum, and seventeen (17) for the other portions of the County, who shall receive forty dollars per annum each. The said salaries shall be in lieu of

all fees and costs in criminal cases, and such fees, when collected, shall be turned over to the County Treasurer, as now provided by law for fines.

A. D. 1885.

Costs and fees
to be paid into
County Treas-
ury.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 23d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO CHARTER THE TOWN OF YORKVILLE, IN THE STATE OF SOUTH CAROLINA, AND TO EXTEND THE EXPIRING CHARTER FOR CERTAIN PURPOSES. No. 93.

SEC. 1.—Incorporation. Limits.

SEC. 2.—Rights and powers.

SEC. 3.—Not to affect Act prohibiting sale of liquors.

SEC. 4.—Public Act. When to commence and expire.

SEC. 5.—Present Council continued in office.

SEC. 6.—Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all citizens of this State who have resided, or may hereafter reside, for sixty days within the limits hereinafter designated, shall be deemed, and they are hereby declared to be, a body politic and corporate, under the name of the Town of Yorkville; which said town shall extend one mile in every direction from the Court House at Yorkville.

SEC. 2. That said town, so incorporated, shall have all the rights, powers and privileges set forth and granted by an Act entitled "An Act to provide for and regulate the incorporation of towns of more than one thousand inhabitants in this State," approved December, 1885,* and shall be subject to all the provisions and limitations therein contained, except as hereinafter set forth.

* The Act here referred to is not to be found among the Acts ratified and approved in December, 1885. Such a Bill was before the Legislature, but it failed to become a law.—EDITOR.

A. D. 1885.

Not to effect
A. A. 1882, 17
Stat. 946.

SEC. 3. That the Act referred to in Section 2 above shall not be deemed as in any manner affecting the provisions of an Act entitled "An Act to prevent the sale of spirituous or intoxicating liquors in the Town of Yorkville, in York County," approved February 9th, 1882, so long as the same shall remain unrepealed by subsequent legislation.

When to com-
mence and ex-
pire.

Public Act.

SEC. 4. That this Act shall take effect at the adjournment of the present Legislature; it shall be deemed a public Act, and shall continue of force for fourteen years, and until the end of the session of the General Assembly next following.

Present Coun-
cil continued
in office.

SEC. 5. That the present Town Council of said town shall continue in office until their successors shall be elected and qualify under the provisions of this Act of incorporation, and to this end, but for no other purpose, the charter now about to expire shall be extended so as to cover said period of time.

Repealing
clause.

SEC. 6. That all Acts of incorporation, or amendments thereto, repugnant to this Act are hereby repealed.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,

Governor.

No. 94. AN ACT TO AMEND CHAPTER XL, TITLE XII, PART I, OF THE GENERAL STATUTES, RELATING TO RAILROAD CORPORATIONS, BY ADDING THERETO A SECTION, AS SECTION 1561a.

Additional Section as to extensions of road and branches.

Be it enacted by the Senate and House of Representatives of the State of South Carolina now met and sitting in General Assembly and by the authority of the same, That Chapter XL, Title XII, Part I, of the General Statutes, relating to railroad corporations, be, and the same is hereby, amended

General
Statutes
amended by
adding § 1561a.

by adding thereto the following Section, designated Section 1561a: A. D. 1885.

SECTION 1561a. It shall be lawful for any railroad or railway corporation chartered by this State, and be taken as the exercise of powers conferred by its charter, to continue or extend the main track or line of such railroad, or any extension thereof, or to build or extend branch roads from such main track or line to any point or points in the vicinity thereof, whenever it may be deemed advisable by such corporation so to do: *Provided*, Such extension or branch shall not exceed five miles in length; and for the purpose of acquiring a right of way for any such extension or branch track, such railroad or railway corporation shall have and be entitled to all the rights and privileges and subject to all the restrictions contained in this Chapter in reference to the manner of acquiring the right of way.

Section as amended.
May extend lines and branches.
Not exceeding 5 miles.
Right of way.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 23d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT PRESCRIBING THE MODE OF DIVESTING THE RIGHT OF DOWER OF INSANE MARRIED WOMEN. No. 95.

- SEC. 1.—Petition to Probate Court. *Guardian ad litem*.
SEC. 2.—Proceedings to bar dower.
SEC. 3.—Endorsement on deed or mortgage.
SEC. 4.—Proceedings as to existing deeds and mortgages.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That when a married man desires in good faith to grant, alien, sell, mortgage, or otherwise incumber real estate, and is unable to obtain his wife's renunciation of her right of dower thereto by

Mode prescribed.

- A. D. 1885.** reason of her being of unsound mind, then, and in such cases, the husband may, by verified petition to the Probate Court, set forth all the facts, particularly describing the real estate sought to be granted, aliened, sold, mortgaged or otherwise incumbered, and praying: 1st. That a guardian *ad litem* be appointed to represent the interest of the said married woman under the proceedings begun by said petition. 2nd. To inquire into the truth of the facts stated in the said petition. 3rd. To ascertain the true value of the land described in the petition.
- Petition to Probate Court.**
- Guardian *ad litem*.**
- Right to be barred.** SEC. 2. If the Probate Judge, after a proper hearing, shall find the facts stated in the petition are true, and that said married woman is of unsound mind, it shall be competent for the said Probate Court to adjudge her said right of dower to the land described in the said petition forever barred, upon the following conditions being complied with by the husband: Either one-sixth of the true value of the land described in the petition shall be invested in some security, to be approved by the Probate Court and held in trust by a trustee to be appointed by said Court, with such security as the Court may direct, or, in case such security cannot be obtained, then by the Judge of said Probate Court; that the interest arising therefrom shall be paid to the husband during his life or during the life of the wife if she should predecease him, and the whole to go to her absolutely at the death of the husband if she should then be living; if she should predecease her husband, at her death the property so invested to be turned over to the husband absolutely; or the husband may give a bond to said Probate Judge for one (1-6) sixth the true value of the land described in the petition, with two good securities, to be approved by the Probate Court, conditioned for the payment of such sum to the wife upon the death of her husband and if she should then be living, but said bond to be null and void if the wife should predecease the husband. Upon the compliance by the husband with either of the above conditions, the Probate Judge shall endorse upon the deed or mortgage the following language: I,....., Probate Judge of the County of....., and State of South Carolina, do certify that Mrs., wife of the within named....., was regularly adjudged a person of unsound mind on the....day of....., 18.., by....., Probate Judge of the County of....., and State of South Carolina; that on the.....day of....., 18.., the petition was filed in this Court to bar the dower of the said Mrs., and the decision barring the dower was
- Conditions.**
- Investment.**
- Payment of interest.**
- Of principal.**
- Bond of husband.**
- Endorsement on deed or mortgage.**

rendered on the....day of..... Given under my hand and official seal this....day of....., 188... A. D. 1885.

SEC. 3. That the above endorsement on any such deed or mortgage shall have the same force and effect as renunciation of dower made as now provided by law, and shall be recorded in all respects as such renunciations are required to be recorded. Endorsement to bar dower.

SEC. 4. That like proceedings may be had for divesting the rights of dower of the insane wife of any married man now outstanding in real estate hitherto granted, sold, aliened, mortgaged or otherwise incumbered, such certificate by the Probate Judge in case of the loss of the original deed to be endorsed across the record in the office where the original was recorded. Like proceedings as to existing deeds.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 23d, A. D. 1885.
HUGH S. THOMPSON,
Governor.

AN ACT TO PROVIDE FOR AND REGULATE THE INCORPORATION OF RAILROAD COMPANIES IN THIS STATE. No. 96.

- SEC. 1.—Subject to this Act. Contents of charters.
- SEC. 2.—By-laws. Officers. Powers.
- SEC. 3.—Subscriptions. Bonds and mortgages.
- SEC. 4.—Right of way.
- SEC. 5.—Rights as to other roads.
- SEC. 6.—Operation of acquired roads.
- SEC. 7.—Liability of stockholders.
- SEC. 8.—Subject to General Statutes, Ch. XL.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, every railroad company incorporated in this State shall have all the rights, powers and privileges set forth and granted in and by this Act, and be subject to all the liabilities, provisions and limitations herein con- Subject to this Act.

A. D. 1885.

Contents of
particular
charters.

tained ; and said rights, powers, privileges, liabilities, provisions and limitations shall constitute part and parcel of the charter of every such corporation ; and the Act of incorporation of such railroad company shall contain : 1. The names of the corporators. 2. The name of the company. 3. The location and route of the road. 4. The capital stock and how raised. 5. A reference to this Act by its title. 6. Such special additions or exceptions to the provisions of this Act as the General Assembly may enact for the better carrying out the purposes of the corporation. 7. The duration of the charter.

By-laws.

SEC. 2. Every such corporation may make such by-laws for its regulation and government in any and all matters whatsoever, not inconsistent with the Constitution and laws of the United States and of this State, as may be deemed necessary, and may add to, alter or amend the same from time to time as may be desired ; may appoint all necessary officers and prescribe their duties ; may sue and be sued, plead and be impleaded, in any Court of Law or Equity in this State or in the United States ; and may accept, purchase, hold, lease or otherwise acquire any property, real or personal, necessary or convenient to and for the purposes of the corporation, and may use, sell and convey and dispose of the same as the interest of the company may require ; may make contracts, have and use a common seal, and do all other lawful acts properly incident to and connected with such corporation and necessary and convenient for the control and transaction of its business : *Provided*, That the by-laws be not repugnant to the Constitution and laws of this State or of the United States.

Officers.

Other powers.

Books of sub-
scription.

Subscriptions.

Bonds and
mortgages.

Right of way.

SEC. 3. For the purpose of raising the capital stock of any company so incorporated, it shall be lawful to open books of subscription at such times and places and under the direction of such persons as the corporators may appoint ; and such subscriptions to the capital stock may be made in land, money, bonds, machinery, materials and work, at such rates as may be agreed upon with the company ; and said company shall have power to mortgage its property and franchises, and issue bonds on such terms and conditions and for such purposes and uses of the corporation as the company may from time to time deem necessary.

SEC. 4. Every such railroad company shall have every right, power and privilege necessary for the purpose of acquiring such lands or rights of way as they may require for the location or

construction of said railway, or for the erection or location of depots, warehouses, stations and other necessary and convenient establishments, or for extending or altering the same, and shall have the benefit of every process or proceeding, and shall be subject to all the restrictions which shall or may be provided or imposed by the laws of the State.

A. D. 1885.

SEC. 5. Such company shall have full power and authority to connect with or cross any other railroad or railroads on its proposed line, and also to purchase, lease or consolidate with any other railroad or railroads in or out of this State in such manner and upon such terms as may be agreed between such railroad companies: *Provided*, That the same be not inconsistent with the laws of this State or of the United States.

Rights as to
other roads.

SEC. 6. Such company shall be further authorized and empowered forthwith, upon the completion or acquirement, by purchase, lease or consolidation, of any portion or section of said railroad between any points through which the same may run under its charter, to operate and maintain such portion or section, with all the rights, powers and privileges hereby granted to the company.

Operation of
acquired roads.

SEC. 7. Every stockholder in such corporation shall be jointly and severally liable to the creditors thereof in an amount, beside the value of his share or shares therein, not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditor was created: *Provided*, That such demand shall have been payable within one year: *Provided*, also, That proceedings to hold such stockholder liable therefor shall be commenced whilst he remains a stockholder therein, or within two years after he shall have ceased to be such stockholder: *Provided*, further, That persons holding stock in such company as executors, administrators or by way of collateral security shall not be personally subject to the liabilities of the stockholders under the foregoing provisions, but the persons pledging such stock shall be liable as a stockholder, and the estates and funds in the hands of such executors or administrators shall be liable in their hands in like manner and to the same extent as the deceased testator or intestate, or the ward or person interested in such trust fund, would have been if they had respectively been living and competent to act and hold the stock in their own names.

Liability of
stockholders.

Provisoos.

Trustees.

A. D. 1885.
 Subject to General Statutes, Chap. XL.

SEC. 8. Every such corporation shall be subject to the duties, liabilities, restrictions and other provisions contained in General Statutes, Chapter XL, "Of Railroad Corporations—General Railroad Law," one thousand eight hundred and eighty-one, with all the amendments which have been or may hereafter be made thereto.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
 President of the Senate.
 JAMES SIMONS,
 Speaker House of Representatives.

Approved December 23d, A. D. 1885.

HUGH S. THOMPSON,
 Governor.

No. 97. AN ACT TO PROVIDE FOR AND REGULATE THE INCORPORATION OF TOWNS OF LESS THAN ONE THOUSAND INHABITANTS IN THIS STATE.

- SEC. 1.—Rights, powers and limitations. Contents of charters.
- SEC. 2.—Intendant and Wardens, and their election.
- SEC. 3.—Vacancies.
- SEC. 4.—General municipal powers.
- SEC. 5.—Nuisances. Police duty.
- SEC. 6.—Streets and ways.
- SEC. 7.—Compounding for street work.
- SEC. 8.—Property rights.
- SEC. 9.—Taxes.
- SEC. 10.—Auction sales.
- SEC. 11.—Sidewalks.
- SEC. 12.—Arrest and commitment of disorderly persons.
- SEC. 13.—Duties of Marshals. Imprisonment.
- SEC. 14.—Provisions affecting the first election.

Rights, powers and limitations.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act every town of less than one thousand inhabitants in this State shall have all the rights, powers and privileges set forth and granted by this Act, and shall be subject to all the provisions and limitations herein con-

tained ; and the Act of incorporation of such town shall contain. 1. The corporators. 2. The name of the town. 3. The limits of the town. 4. A reference to this Act by its title. 5. Such special exceptions to the provisions herein contained, or such additions thereto, as the General Assembly may enact for the better carrying out the purposes of the incorporation. 6. The duration of the charter.

A. D. 1885.

Contents
particular
charters.

SEC. 2. Said town shall be governed by an Intendant and four Wardens, (who shall be citizens of the United States and shall have been residents of said town sixty days immediately preceding said election,) who shall be elected annually on such day and such place in said town as the Intendant and Wardens shall designate, ten days' public notice being previously given ; and that all male inhabitants of said town of the age of twenty-one years, who have resided therein sixty days immediately preceding the election, and citizens of this State, and not being under the disabilities mentioned in the Constitution of this State, shall be entitled to vote for and be elected as Intendant and Wardens, and the election shall be held from seven o'clock in the morning until five o'clock in the afternoon, when the polls shall be closed and the Managers shall count the votes and proclaim the election and give notice thereof to the persons elected ; and the Intendant and Wardens, before entering upon the duties of their offices, shall take the oath prescribed by the Constitution of this State, and also the following oath, to wit : "As Intendant (or Warden) of the Town of, I will equally and impartially, to the best of my skill and ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes of my appointment. So help me God."

Intendants
Wardens.

Elections.

Electors

Hours.

Declaring
sult.

Oaths.

SEC. 3. In case a vacancy shall occur in the office of Intendant or any of the Wardens by death, resignation, removal from the State, or from any other cause, an election shall be held to fill such vacancy, and the Intendant and Warden (or Wardens, as the case may be,) shall give ten days' previous public notice of such election ; and in case of sickness or temporary absence of the Intendant, the Wardens forming a Council shall be empowered to elect one of their number to act as Intendant during such sickness or absence.

Vacancies.

SEC. 4. The Intendant and Wardens, or a majority of them, duly elected and qualified, shall, during their terms of office, have the same power which a Trial Justice now has to compel

Powers of
Trial Justice
as to witnesses

- A. D 1885. the attendance of witnesses and require them to give evidence upon the trial before them of any person for the violation of the by-laws or ordinances of the town. The Intendant shall, as
- Council meetings. often as occasion may require, summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of business, and shall be known by the name of the Town Council of the said town; and they and their successors in office shall have a common seal, and shall have power to appoint from time to time such and so many proper persons to act as Marshals or Constables as they shall deem expedient or proper, which officers shall have all the powers, privileges and emoluments, and be subject to all the duties, penalties and regulations, provided by the laws of this State for the office of Constable; and the Intendant and Wardens in Council shall have power and authority, under their corporate seal, to ordain and establish all such rules and by-laws and ordinances respecting the streets, ways, public wells and springs or fountains of water, market and police of said town, and for preserving health, peace, order and good government within the same, as they may deem expedient and proper and not inconsistent with or repugnant to the laws of the State, and all such by-laws and ordinances shall at all times be subject to revisal or repeal by the General Assembly of the State. And the said Council may
- Marshals.
- By-laws and ordinances.
- Fines. affix fines for offenses against such by-laws and ordinances and appropriate the same to the use of the corporation, but no fine shall exceed thirty dollars; and when fines shall exceed twenty dollars they may be recovered in a Trial Justice's Court; and when they are of the amount of twenty dollars or under, they may be recovered before said Intendant and Wardens in Council.
- Nuisances. SEC. 5. The said Town Council shall have power to abate and remove nuisances within the limits of said town, and to classify
- Police duty. and arrange the inhabitants liable to police duty, and require them to perform such duty as occasion may require, and to enforce the performance thereof under the same penalties as are now, or may hereafter be, established by law: *Provided always,*
- Compounding. *nevertheless,* That the said Town Council shall have power to compound with persons liable to perform such duty upon such terms as they shall, by ordinance, establish.
- Streets and ways. SEC. 6. It shall be the duty of the Intendant and Wardens to keep all the streets and ways which may be necessary for public use within the limits of said town, open and in good repair and

for that purpose they are hereby invested with the powers, rights and privileges granted by law to the County Commissioners within the limits of said town, and for neglect of duty they shall be liable to the pains and penalties imposed by law upon Commissioners of Roads for like neglect; and they shall be individually exempt from the performance of road and police duty within the limits of said corporation.

A. D. 1885.

Powers.
Penalties.

SEC. 7. The said Intendant and Wardens shall have power to compound with persons liable to work on said streets and ways, and to release such persons as may desire it, upon the payment of such sums of money as they may deem a fair equivalent therefor, to be applied by them to the use of said corporation.

Compounding
for street work.

SEC. 8. The said Town Council shall also be empowered to retain, possess and enjoy all such property as they may now be possessed of, or entitled to, or which shall hereafter be given, bequeathed to or in any manner acquired by them, alien or in any way transfer the same or any part thereof: *Provided*, The amount of property held or stock invested shall in no case exceed twenty thousand dollars.

Property
rights.

Limit.

SEC. 9. The said Town Council shall also have power to impose an annual tax on all real and personal property within the corporate limits of said town: *Provided*, Said tax does not exceed fifty cents on the one hundred dollars.

Taxes.

Limit.

SEC. 10. The Intendant and Wardens of said town shall have power to regulate sales at auction within the limits of said town and to grant licenses to auctioneers: *Provided*, That nothing herein shall extend to sales by or for the Sheriff, Clerk of Court, Judge of Probate, Coroners, executors and administrators, assignees, or by any other person, under the order of any Court, Trial Justice, or other inferior Court.

Auction sales.

Exceptions.

SEC. 11. The Intendant and Wardens of the said town shall have power and authority to require all persons owning a lot or lots in said town to keep in repair the sidewalks adjacent to their lots respectively, and for default in this matter shall have power and authority to impose a fine not exceeding fifteen dollars.

Sidewalks.

SEC. 12. The said Town Council shall have power to arrest and commit to the town guard house for a space of time not exceeding five days, and to fine not exceeding twenty dollars, any person or persons who may be guilty of disorderly conduct in said town, to the annoyance of the citizens thereof; and it shall be the duty of the Marshal of the town to make such

Disorderly
conduct.

- A. D. 1885. arrest, and to call to his assistance the *posse comitatus*, if necessary, and upon failure to perform said duty he shall be fined in a sum not exceeding twenty dollars for each and every offense.
- Posse comitatus.*
- Duties of Marshals. SEC. 13. The said Intendant and Wardens, in person, or any of them, may authorize and require any Marshal or Constable especially appointed for that purpose to arrest and commit to Imprisonment. the guard house (which such Town Council is authorized to establish) or to the County Jail, for a term not exceeding five days, any person or persons who within the corporate limits of said town may be engaged in a breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or any conduct grossly indecent or dangerous to the citizens of said town or any of them : *Provided*, That if the offender be committed to Jail, it shall be done at the expense of said town.
- Expenses.
- County Commissioners to order election. SEC. 14. Whenever any such town shall be incorporated under the provisions of this Act, it shall be the duty of the County Commissioners of the County in which such town is situated to order the first election for Intendant and Wardens thereof, and for said purpose they shall at any time within sixty days after the passage of the Act of incorporation of said town appoint three Managers to conduct said election ; and said County Commissioners shall give ten days' notice of the time of said election to be held in said town.
- Managers.
- Notice.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 23d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE SPARTANBURG AND SHELBY RAILROAD COMPANY," APPROVED FEBRUARY 4TH, A. D. 1882, BY ADDING THREE SECTIONS TO SAID ACT AFTER SECTION 10 OF THE SAME, TO BE KNOWN AS SECTIONS 11, 12 AND 13 OF SAID ACT.

A. D. 1885.

No. 98.

SEC. 1.—Additional Sections added, to wit

SEC. 11.—Transfer of subscriptions of Spartanburg City and Township.

SEC. 12.—Transfer of subscriptions of Cherokee and Limestone.

SEC. 13.—Liability of stockholders.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the Spartanburg and Shelby Railroad Company," approved February 4th, 1882, be, and the same is hereby, amended by adding after Section 10 of said Act the following Sections, to be known as Sections 11, 12 and 13, to wit:

SEC. 11. That for the purpose of transferring the subscription made by the "City of Spartanburg" and by "Spartanburg Township" to the construction of the Spartanburg and Rutherfordton Railroad, the County Commissioners of Spartanburg County upon the petition of one hundred and fifty real estate owners resident in Spartanburg Township and the proper authorities of the said City of Spartanburg upon the petition of one hundred real estate owners resident in the City of Spartanburg, respectively, are hereby authorized and required to submit to the qualified electors of "Spartanburg Township" and to the qualified electors of the "City of Spartanburg" the question of the transfer of the subscription of said "Township" and of said "City" heretofore made to the Spartanburg and Rutherfordton Railroad to that of the Spartanburg and Shelby Railroad; and the question of said transfer shall be decided by the said qualified voters at an election in said "Township" and said "City," to be conducted and declared in the same manner and under the same rules and regulations as were provided in "An Act authorizing Cities, Towns and Counties to subscribe to the capital stock of the Spartanburg and Rutherfordton Railroad," approved February 9th, 1882. Those voting for transfer shall vote a ballot having written or printed thereon the word "Transfer," and those voting against transfer shall vote a ballot having written or printed thereon "No transfer." And should

Additional
Sections added
to A. A. 1882.
17 Stat. 834.
But See 16
Stat. 272.

Transfer of
Subscriptions
by city and
Township of
Spartanburg.

From S. and
R. R. R. to S.
and S. R. R.

Election.

17 Stat. 934.

Form of ballot.

A. D. 1885. a majority of said qualified electors voting vote for "Transfer," then it shall be the duty of the said County Commissioners and the proper authorities of said city to cause the said subscription heretofore made respectively to the Spartanburg and Rutherfordton Railroad to be transferred to the Spartanburg and Shelby Railroad.

Transfer of
subscriptions
by Cherokee
and Limestone.

Election.

Townships
incorporated.

Duties of
County Com-
missioners.

Petition of
real estate
owners.

Repealing
clause.

Liability of
stockholders.

SEC. 12. The County Commissioners of Spartanburg County are hereby authorized and required to submit to the qualified electors of "Cherokee and Limestone Townships," at elections to be held in said Townships, respectively, the question of "subscription" or "no subscription," and the amount to be subscribed by said Townships respectively to the construction of the Spartanburg and Shelby Railroad, and the said election shall be held, conducted and declared in the same manner and under the rules and regulations provided in an Act entitled "An Act authorizing certain Cities, Towns, and Counties to subscribe to the Spartanburg and Rutherfordton Railroad," approved February 9th, 1882; and should a majority of said qualified electors in said Townships severally vote in favor of subscription, then the said subscription or subscriptions shall be made in the same manner and under the same forms and rules as provided in the last mentioned Act. That for the purposes of this Act the said Townships mentioned in the preceding Sections of this Act are hereby created bodies politic and corporate, and vested with all the powers necessary to carry out the provisions of this Act, and shall have all the rights and be subject to all the liabilities in respect to any rights or causes of action growing out of the provisions of this Act. The County Commissioners of Spartanburg County are declared to be the corporate agents of the said Townships, and in all meetings and conventions of the stockholders of said company the capital stock subscribed by said Townships shall be represented by said County Commissioners: *Provided, however,* That before said election is held in either of the said Townships of Cherokee or Limestone Springs, one hundred real estate owners resident in such Township, respectively, shall petition to said County Commissioners asking that such election be held. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

SECTION 13. Each stockholder in the said railroad corporation shall be jointly and severally liable to the creditors thereof in any amount (beside the value of his share or shares therein) not

exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditor was made: *Provided*, That such demand shall have been payable within one year: *Provided, also*, That proceedings to hold such stockholder liable therefor shall be commenced within two years after such debt may have become due, and whilst he remains a stockholder therein, or within two years after he shall have ceased to be such stockholder: *Provided, further*, That no person holding a share or shares as executor, administrator, trustee, or in any other fiduciary capacity, shall be liable thereon beyond the value of the estate held by him as such executor, administrator, trustee, or in any other fiduciary capacity.

A. D. 1885.

Provisoes.

Trustees.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 23d, A. D. 1885.

HUGH S. THOMPSON,

Governor.

AN ACT TO INCORPORATE THE KING STREET AND CROSS No. 99.
TOWN RAILWAY COMPANY, OF CHARLESTON.

SEC. 1.—Incorporation. Name.

SEC. 2.—Powers. By-laws.

SEC. 3.—Capital stock. When to organize.

SEC. 4.—Route of road. May cross streets and roads.

SEC. 5.—Public Act for 30 years.

SEC. 6.—Repealing clause.

SEC. 7.—Not to interfere with rights of others.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That R. C. Barkley, S. J. Pregnall, Charles H. Simonton, R. S. Long, E. F. Sweegan, O. F. Wieters, M. W. Cross, C. C. Trumbo, Thomas Young, Hugh Ferguson, Joseph Bock, H. J.

Incorporation.

- A. D. 1885.** McCormack, F. L. McHugh, Max Fourchogott, E. T. Legare, George W. Egan, Henry Oliver and F. J. McGary, and such other persons as may be associated with them, be, and they are hereby, created and declared to be a body politic and corporate, under the name and style of the King Street and Cross Town Railway Company, of Charleston.
- Name.**
- Powers.** SEC. 2. That by the said corporate name the said company may buy, take and hold property, real and personal, and the same may sell and dispose of in open market or otherwise; may sue and be sued, plead and be impleaded, in all Courts of this State and of the United States; may have succession of officers and members; may have and keep a common seal, and the same
- By-laws.** may break and change at will, and may make such rules and by-laws as may be expedient and not repugnant to the laws of the land, and the same may alter, amend and annul, as to the said corporation may seem good.
- Capital stock.** SEC. 3. That the capital stock of the said company shall be fifty thousand (\$50,000) dollars, which shall be divided into shares of \$25 each: *Provided*, The said corporation shall have the power at any time to increase the capital stock to any amount not exceeding two hundred and fifty thousand (\$250,000) dollars: *Provided, further*, That the said company may commence work and go into operation as soon as two hundred shares are subscribed.
- When it may organize.**
- Route of road.** SEC. 4. That the said King Street and Cross Town Railway Company, of Charleston, shall have power and authority, after first having obtained the permission of the City Council of Charleston therefor, to lay, use, work and keep in repair railway tracks on King street, from South Battery to Calhoun street, thence Westward on Calhoun street to Ashley street, thence Northward on Ashley street to Spring street, thence Westward on Spring street to Ashley River, and thence across Ashley River into Saint Andrew's Parish to a distance of not more than ten miles; and for said purpose the said corporation shall have power and authority to cross and recross any and all streets, roads and railways as may be necessary to accomplish the same.
- May cross streets and roads.**
- Public Act for 30 years.** SEC. 5. That this Act shall be deemed a public Act, and shall continue of force for thirty years.
- Repealing clause.** SEC. 6. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

SEC. 7. That nothing herein contained shall be construed to interfere with any rights vested in other persons or corporations.

A. D. 1885.

Not to interfere with rights of others.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 23d, A. D. 1885.

HUGH S. THOMPSON,

Governor.

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF No. 100.
HAMPTON COUNTY TO OPEN AND CONSTRUCT A PUBLIC
HIGHWAY ACROSS COOSAWHATCHIE SWAMP.

Road to be constructed and paid for.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Hampton County be, and they are hereby, authorized and required to open and construct a public road across Coosawhatchie Swamp, at or near the point known as Possum Corner Ford, and for this purpose are authorized to call out such persons as are liable by law to work on public highways; and, further, to expend such a sum of money as in their judgment is necessary to complete the road and any bridge thereon: *Provided*, That if in the judgment of the Commissioners the road cannot, with proper economy, be completed in one fiscal year, the work and expenditure of money therefor may be extended into the next fiscal year.

To construct road and bridge at or near Possum Corner Ford.

Payment therefor.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 23d, A. D. 1885.

HUGH S. THOMPSON,

Governor.

A. D 1885. **AN ACT TO ESTABLISH A NEW SCHOOL DISTRICT IN GEORGETOWN COUNTY, AND TO AUTHORIZE THE LEVY AND COLLECTION OF A LOCAL TAX THEREIN.**
 No. 101.

- SEC. 1.—Area of School District.
 SEC. 2.—Name and incorporation.
 SEC. 3.—Tax and how authorized.
 SEC. 4.—Powers of meeting of taxpayers.
 SEC. 5.—Trustees' term of office. Powers and duties.
 SEC. 6.—Notification of tax levy. Assessment. Collection.
 SEC. 7.—Disbursement of school taxes. Liability of Treasurer.
 SEC. 8.—School District Township. Assessment for fiscal year 1885-86.
 SEC. 9.—Present Trustees to continue to act.
 SEC. 10.—Act to take effect immediately.
 SEC. 11.—Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of maintaining public schools in the Town of Georgetown, a new School District be, and the same is hereby, created and established in the County of Georgetown, embracing within its limits all that territory lying between Black and Sampit Rivers and within a radius of three miles from the Court House in said town.

SEC. 2. That the said District shall be known as the Winyah Indigo School District, and shall be a body politic and corporate, with such government, rights, privileges and liabilities as are provided for School Districts by the School Law of South Carolina.

SEC. 3. That in addition to the rights and privileges hereinbefore granted, the said School District shall have power to levy on all real and personal property returned in the said District a tax not exceeding two mills on the dollar, subject to the following provision: The School Trustees of said District shall at any time previous to the 30th day of June of each year, upon the written request of five property holders, issue a call for a public meeting (after two weeks' notice) of all those citizens, being legal voters, who reside and return real and personal property in said District; and such notice shall be published in at least one newspaper and posted in two public places in said District for at least two weeks before such meeting, and shall specify the time, place and object of such meeting.

SEC. 4. That when the persons answering the above description shall have assembled in public meeting, they shall have power to select a Chairman and Secretary, adjourn from time

to time, and decide what additional tax, if any, shall be levied for the purposes of this Act: *Provided*, That no tax thus levied shall be repealed at any subsequent meeting within the same year.

A. D. 1885.

SEC. 5. There shall be appointed in the manner now provided by law three Trustees, who, in conjunction with four Trustees, to be appointed from among the members of the Winyah Indigo Society by the State Superintendent of Education, shall constitute the Board of Trustees for said School District, whose term of office shall be for two years from the date of such appointments respectively, and who, in addition to the duties and responsibilities now provided by law for Trustees of School Districts, shall have the following powers and duties: First. To purchase, lease or erect suitable buildings for the use of the public schools of said School District. Second. To elect and dismiss superintendents and teachers of said schools, prescribe their duties and terms of office and to fix their salaries, and to cause an examination of said teachers to be made whenever necessary. Third. To determine the class-books and studies to be used in said schools, and to make rules and regulations for the government of the said schools. Fourth. To determine the manner in which the tax heretofore authorized (and the two mills Constitutional poll tax provided by law) shall be expended in maintaining said public schools. Fifth. To fill all vacancies occurring in said Board of Trustees by death, resignation, removal or otherwise during their term of office or service: *Provided*, That where such vacancy arises from the death, resignation or removal of a Trustee who is a member of the Winyah Indigo Society, his successor shall be appointed from said society.

Appointment
of Trustees.

Term of office.

Powers and
duties.

SEC. 6. That it shall be the duty of the Chairman and Secretary of said public meeting, within one week after said meeting has been held, to notify the Chairman of the Board of Trustees for said School District, and the Auditor of said County, of the amount of the tax thus levied, and the purposes for which the same has been levied; and the County Auditor shall at once assess such tax on all real and personal property returned in said School District; and the County Treasurer shall collect the same with the State and County taxes; and such tax shall be a lien on all property until paid, and defaulting taxpayers shall be liable to like process and penalties as defaulters for State and County taxes.

Notification
of tax levy.

Assessment.

Collection.

- A. D. 1885.** SEC. 7. That the money collected from said tax levy, and the Constitutional poll and two mill tax to which the District is entitled under the general provisions of the law shall be held by the County Treasurer and paid out on warrants drawn by the Trustees of said School District, countersigned by the County School Commissioner; the said Treasurer shall be liable to said School District for the non-performance of his duty in respect to said money, in the same manner and to the same extent, and under like penalties, as for non-performance of his duties in reference to State and County taxes.
- Disbursement of school taxes.**
- Liability of Treasurer.**
- New Township of school district.** SEC. 8. That for convenience in assessing and collecting such tax, the County Commissioners of Georgetown County are hereby authorized (if necessary) to lay off a new Township, with such name and number as they may select, to be coterminous in extent with such School District, the assessment for the fiscal scholastic year beginning November 1, 1885, to be made by the County Auditor immediately after he shall have been notified by the Chairman and Secretary of the amount of the tax so levied.
- Assessment for fiscal year 1885-86.**
- Present Trustees to act.** SEC. 9. That the School Trustees now in charge of School District No. 1 of Georgetown County are hereby authorized and required to act until the election and appointment of the Trustees provided for by this Act.
- Takes effect.** SEC. 10. That this Act shall take effect immediately after its passage.
- Repealing clause.** SEC. 11. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NEW SCHOOL DISTRICT IN THE COUNTY OF LEXINGTON, AND TO AUTHORIZE THE LEVY AND COLLECTION OF A SPECIAL SCHOOL TAX THEREIN.

A. D. 1885.
No. 102.

- SEC. 1.—Martin's School District established. Area.
SEC. 2.—Meeting to levy additional school tax.
SEC. 3.—Levy, collection and disbursement of tax.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a new School District is hereby established in the County of Lexington, to be known as "Martin School District," and shall be embraced in the following described area: Taking Mitchell Academy as the central point, draw lines extending three miles North, South, East and West. Let lines be drawn at right angles to the extremities of these lines and be extended till they cut each other, and the area thus included shall constitute the said School District.

Martin's
School Dis-
trict estab-
lished.

Area.

SEC. 2. That the voters of said School District who return real or personal property for taxation are authorized to levy and collect an annual tax, not to exceed (3) three mills, to supplement the Constitutional two mill tax. And for said purpose the Trustees of said School District, upon the written request of ten (10) taxpayers of said District, shall call a public meeting of the taxpayers of said School District, at any time before the first day of June in each year, the call for which meeting must be advertised in some newspaper published in said County, once a week for two weeks, and published by posting the same in three conspicuous places in said School District before said meeting. When assembled, the meeting of taxpayers shall have power to elect a Chairman and Secretary, adjourn from time to time, and levy a special tax for the ensuing year, not exceeding three mills, for such school purposes as a majority of those present shall determine, and no tax so voted shall be repealed at any subsequent meeting.

Additional
school tax.

Meeting of
taxpayers.

Powers of the
meeting.

SEC. 3. That within ten (10) days after the said meeting the Chairman and Secretary thereof shall furnish the Board of Trustees of said District and the County Auditor with the amount of said levy, and the Auditor shall enter the same in his tax duplicate, and the Treasurer shall collect the same as other County and State taxes, which in like manner shall be a lien upon the property of the respective taxpayers of said School

Levy and col-
lection of tax.

A. D. 1885.
Disbursement.

District. That the taxes so collected shall be held by the County Treasurer, whose bond shall be liable for any default; and the said taxes shall be paid out by him upon the warrant of the Board of Trustees for said School District, countersigned by the School Commissioner of Lexington County.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

No. 103. AN ACT TO INCORPORATE THE GERMANIA BUILDING AND LOAN ASSOCIATION, OF CHARLESTON.

SEC. 1.—Incorporation. Capital stock. Shares.
SEC. 2.—By-laws. Members and officers. Other powers.
SEC. 3.—Real estate.
SEC. 4.—Loans to members. Mortgages.
SEC. 5.—Loans to persons not members.
SEC. 6.—Division and dissolution.
SEC. 7.—Liability of stockholders.
SEC. 8.—Public Act, to take effect immediately.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Incorporation. Julius H. Pieper, F. William Schlepegrell, Henry Schächte and John D. Cappelmann, together with such other persons who are or may be hereafter associated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of

Purposes. making loans of money, secured by mortgage on real estate or personal property, or by conveyance of the same to their members and stockholders, by the name and style of the Germania Building and Loan Association, of Charleston, the capital stock

Name.

Capital stock. of said association to consist of two thousand five hundred shares, but as soon as one thousand shares are subscribed thereto the said association shall have power to organize and commence

operations; said shares to be paid by successive monthly installments of one dollar on each share as long as the corporation shall continue; the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines and forfeitures for default in their payments, according to such regulations as may be prescribed by the by-laws of said corporation.

A. D. 1885,
Payment of
shares.

SEC. 2. That the said corporation shall have power and authority to make any such rules and by-laws for its government as are not repugnant to the Constitution and laws of the land; shall have such number and succession of members and officers as shall be ordained and chosen according to their said rules and by-laws made or to be made by them; shall have and keep a common seal, and may alter the same at will; may sue and be sued, plead and be impleaded, in any Court of competent jurisdiction in this State; and shall have and enjoy all and every right and privilege incident and belonging to corporate bodies according to the laws of the land.

Rules and
by-laws.

Members and
officers.

Other powers.

SEC. 3. That the said corporation shall have power to take, purchase and hold real estate, and to sell, mortgage or transfer the same from time to time to its members or others, on such terms and under such conditions and subject to such regulations as may be prescribed by the rules and by-laws of said corporation: *Provided*, That the real estate held by said corporation shall not at any time exceed the value of two hundred thousand dollars.

Real estate.

Limit.

SEC. 4. That the funds of said corporation shall be loaned and advanced to the members and stockholders upon the security of real and personal estate, or either, and used in the purchase of real estate for the benefit of its members and stockholders, on such terms and under such conditions, and subject to such regulations, as may from time to time be prescribed by the rules and by-laws of said corporation; and it shall be lawful for the said corporation to hold such lands, tenements and hereditaments and personal property as shall be mortgaged or conveyed to them in good faith by way of security upon its loans and advances, and may sell, alien or mortgage or otherwise dispose of the same as they from time to time may deem expedient.

Loans to
members.

May take
mortgages.

SEC. 5. That whenever it shall occur that the funds of the said corporation shall remain unproductive and uncalled for for the space of two months, the corporation shall have power to loan whatever amount may thus be on hand to others than

Loans to non-
members.

A. D. 1885.

stockholders and members, at any rate of interest agreed upon not exceeding the legal rate.

Division.

SEC. 6. That whenever the funds and assets of said corporation shall have accumulated to such an amount that, upon a fair and just division thereof, each stockholder and member shall have received, or be entitled to receive, the sum of two hundred dollars, or property of that value, for each and every share of stock by him or her so held, and when such distribution and division of the funds shall have been so made, then this corporation shall cease and determine.

Dissolution.

Liability of
stockholders.

SEC. 7. That the members of the said corporation shall be individually liable for the debts of the said corporation, each member to the extent of one year's annual dues which such member may owe to the said corporation, according to its by-laws, in the year in which he or she may be sued for any corporation debt, but such liability shall not attach until the corporation shall have been sued and *nulla bona* returned on execution in such suit.

Public Act.
When to take
effect.

SEC. 8. That this Act shall be deemed a public Act, and the same may be given in evidence without specially pleading the same, and shall take effect immediately.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AUTHORIZE THE TRUSTEES OF THE UNIVERSITY OF
SOUTH CAROLINA TO SELL CERTAIN PROPERTY BELONGING
TO THE SOUTH CAROLINA COLLEGE.

A. D. 1885.

No. 104.

May sell vacant lot and College Chapel.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Trustees of the University of South Carolina be, and they are hereby, authorized to sell and convey by deed all that vacant lot of land, belonging to the South Carolina College, situated at the Northeast intersection of Medium and Richardson streets in the City of Columbia, and also to sell all the material composing the building known as the "College Chapel" in Sumter street, and to apply the proceeds of sale of the said lot and building to the permanent improvement of the South Carolina College property.

To sell a vacant lot.

And College Chapel.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

AN ACT TO PROVIDE FOR AND REGULATE THE INCORPORATION OF MANUFACTURING COMPANIES IN THIS STATE.

No. 105.

SEC. 1.—General provision. Contents of particular charters.

SEC. 2.—Property rights. Other powers.

SEC. 3.—Liability of stockholders.

SEC. 4.—Limitation on indebtedness. Liability of Directors.

SEC. 5.—Restriction on use of funds.

SEC. 6.—Votes and proxies.

SEC. 7.—Character of its stock. Loan of capital. Dividends.

SEC. 8.—Fraudulent misrepresentation a misdemeanor.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, every manufacturing

General rights and liabilities.

- A. D. 1885.** company incorporated in this State shall have all the rights, powers and privileges set forth and granted in and by this Act, and shall be subject to all the liabilities, provisions and limitations herein contained; and the Act of incorporation of such company shall contain: 1. The names of the corporators. 2. The name of the corporation. 3. The location of the company. 4. The object of the company. 5. The capital stock and how raised. 6. The duration of the charter. 7. A reference to this Act by its title. 8. Such special exceptions to the provisions herein contained, or such additions thereto, as the General Assembly may enact for the better carrying out the purposes of the company.
- Contents of particular charters.**
- Property rights.** SEC. 2. Every such corporation may purchase and hold all such real and personal estate as may from time to time be required for their purposes, or such as they may be obliged or deem it for their interest to take in settlement of any debts due to said corporation, and may dispose of the same; may erect such mills, machine shops, dwellings and other buildings thereon as may be deemed necessary or desirable; may sue and be sued; may have and use a common seal; may make such by-laws for the regulation and government of said corporation in any and all matters whatsoever, not inconsistent with the Constitution and laws of the United States and of this State, as may be deemed necessary, and may add to, alter or amend the same from time to time as may be desired, and shall have generally all the rights, powers and privileges in law incident or appertaining to such corporations.
- Buildings.**
- Other powers.**
- Liability of stockholders.** SEC. 3. Each stockholder in such corporation shall be jointly and severally liable to the creditors thereof in an amount, beside the value of his share or shares therein, not exceeding five (5) per cent. of the par value of the share or shares held by him at the time the demand of the creditor was created: *Provided*, That such demand shall have been payable within one year: *Provided, also*, That proceedings to hold such stockholder liable therefor shall be commenced within two years after such debt may have become due and whilst he remains a stockholder therein, or within two years after he shall have ceased to be such stockholder: *Provided, further*, That persons holding stock in such companies as executors, administrators, or by way of collateral security, shall not be personally subject to the liabilities of the stockholders under the foregoing provisions; but the person pledging such stock shall be liable as a stockholder, and the
- Provisoes.**
- Trustees.**

estates and funds in the hands of such executors or administrators shall be liable in their hands in like manner and to the same extent as the deceased testator or intestate, or the ward or person interested in such trust fund, would have been if they had respectively been living and competent to act and hold the stock in their own names.

A. D. 1885.

SEC. 4. The total amount of debts which said company shall at any time owe shall not exceed double the amount of its capital stock actually paid in, and in case of excess the Directors in whose administration it shall happen shall be personally liable for the same, both to the contractor or contractors and to the corporation. Such of the Directors as may have been absent when the said excess was contracted or created, or who may have voted against such contract or agreement and caused his vote to be recorded in the minutes of the Board, may respectively prevent such liability from attaching to themselves by forthwith giving notice of the fact to a general meeting of the stockholders, which they are authorized to call for that purpose. The provisions of this Section shall not apply to debts secured by mortgage.

Limitation on indebtedness.

Liability of Directors.

Exception.

Debts secured by mortgage.

SEC. 5. No part of the capital stock, or any of the funds of such corporation, shall at any time during the continuance of its charter be used or employed directly or indirectly in banking operations, or for any purpose whatsoever inconsistent with the provisions of its charter.

Restriction on use of funds.

SEC. 6. Each stockholder shall have one vote for each share of the capital stock of the said corporation he may own or represent, at all elections and all meetings of the company, and the said corporation shall have authority in its by-laws to make such regulations as may be deemed proper for the representation by proxy of such stockholders as may be absent at such elections and meetings.

Votes and proxies.

SEC. 7. The capital stock of such corporation shall be deemed personal property, and the said corporation shall have authority in its by-laws to make all such regulations as may be deemed necessary and proper for the issuing and transfer of such stock, or for collecting and enforcing, by sale or otherwise, all subscriptions made thereto; and no part of said capital stock shall at any time, nor upon any pretense, be loan to or divided amongst the stockholders until all the liabilities of said company have been paid, and no dividends shall be declared except from the net earnings of the company.

Character of its stock.

Loan of capital.

Dividends.

A. D. 1885.

Fraudulent
misrepresentation
& misdemeanor.

SEC. 8. Any Director or other officer or stockholder of said corporation who shall knowingly or willfully make, or cause to be made, any fraudulent misrepresentation or misrepresentations as to either the capital, property or resources of said corporation shall be held guilty of a misdemeanor, and, upon conviction thereof, shall be punished by fine of not more than two thousand dollars or imprisonment for not longer than two years, or both, at the discretion of the Court.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

No. 106. AN ACT TO EXTEND THE DUTIES AND POWERS OF THE CITY COUNCIL OF CHARLESTON OVER CERTAIN CONTIGUOUS TERRITORY OF CHARLESTON COUNTY.

SEC. 1.—Rights of police outside of city limits.

SEC. 2.—Sale of liquor without license prohibited.

Preambles.

Whereas the State road between the city boundary of Charleston and the County line is a thoroughfare constantly in use by the citizens of Charleston for the purpose of recreation, exercise and pleasure, as well as of business; and

Whereas it is important that every precaution be taken for the preservation of the public peace along and in the neighborhood of said thoroughfare :

Rights of
Police between
city limits and
County line.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an the police of the City of Charleston shall have the same right and authority to preserve, and the same means of enforcing, the public peace upon said thoroughfare and Cooper River on the one side, and Ashley River on the other, between the city

boundary and the County line, as they may have within the limits of the City of Charleston.

A. D. 1885.

SEC. 2. That any person who shall sell intoxicating liquors within the said territory without first obtaining a license therefor from the City Council of Charleston, to be issued by said city in the mode provided in Chapter LV of the General Statutes, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished as now provided by law.

Sale of liquor without license prohibited.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE FLORENCE RAILROAD COMPANY," APPROVED FEBRUARY 4TH, 1882. No. 107.

SEC. 1.—Amends charter as to route of road.

SEC. 3.—Time for commencing and completing road.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the Florence Railroad Company," approved February 4, 1882, be, and the same is hereby, amended by striking out Section 2 and substituting therefor the following:

A. A. 1882, § 2,
17 Stat. 749,
amended.

SECTION 2. That the said company be, and is hereby, authorized and empowered to construct, maintain and operate a railroad of one or more tracks from any point in the line of the Wilmington, Columbia and Augusta Railroad, or of Cheraw and Darlington Railroad, within the County of Marion or the County of Darlington, to a point either on the North Carolina State line or on the Little Peedee River; the particular route to be determined by the company, which shall also have a like

Section 2 as amended.

Route of road.

A. D. 1885. authority to build a branch road or branch roads in Marion County or Marlboro County, or in both, as may be determined by the said Florence Railroad Company.

Commence-
ment and com-
pletion of
work. SEC. 3. That the time within which the construction of the said road shall be begun and completed be, and the same is hereby, so extended that the said work shall be begun within two years, and shall be completed within six years after the approval of this Act.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

No. 108. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO CHARTER BANK OF MARION," APPROVED DECEMBER 21ST, 1883.

Amends Section 3 as to the organization and officers of the bank.

A. A. 1883, § 3,
18 Stat. 334,
amended. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 3 of an Act entitled "An Act to charter Bank of Marion," approved December 21st, 1883, be, and the same is hereby, amended so as to read as follows :

Section 3 as
amended.
Books of sub-
scription. SECTION 3. The corporators in the first Section named, or any three of them, may open books of subscription to the capital stock of said bank at such time or times, and at such places, and for such periods, as a majority of the corporators named may determine ; and as soon as the sum of fifty thousand dollars shall be subscribed thereto the before named corporators, or a majority of them, on such notice as they may consider sufficient, shall call a meeting of such subscribers, to be held at the Town of Marion, in the County of Marion, in this State ; and at such meeting, and all future meetings of the stock-

Organization.

holders of said bank, the shares of the capital stock may be represented in person or by proxy. The subscribers to said stock, at their meeting to be held as aforesaid, shall elect from themselves such a number of Directors of said corporation as they may think proper, who shall continue in office for one year and until their successors shall be duly elected; and thereafter there shall be annual meetings of the stockholders of said bank, at which Directors shall be chosen, whose tenure of office shall be as provided. Every Director must own in his own right at least five shares of the capital stock of the said bank. The Directors chosen or elected at any such meeting shall, from among themselves, elect a President and Vice President, to act as such during the term of office of such Directors, and they shall perform such duties, and exercise such powers, as may be prescribed by the by-laws of said corporation, or as shall be incident to their respective offices.

A. D. 1885.

Representation of shares.
Directors.

Annual meetings.

Number of shares of Directors.

President and Vice President.

Duties and powers.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.
 No. 109. **AN ACT TO INCORPORATE THE TOWN OF MOUNT CARMEL, ON
 THE SAVANNAH VALLEY RAILROAD, ABBEVILLE COUNTY.**

- SEC. 1.—Incorporation. Limits.
 SEC. 2.—Intendant and Wardens. First election.
 SEC. 3.—Subsequent elections.
 SEC. 4.—Vacancies.
 SEC. 5.—Sale of liquor prohibited.
 SEC. 6.—Rules, by-laws and ordinances.
 SEC. 7.—Council meetings. Powers. Marshals.
 SEC. 8.—Streets and ways. Street duty.
 SEC. 9.—Taxes.
 SEC. 10.—Licenses.
 SEC. 11.—Property rights.
 SEC. 12.—Duration of charter.

- SECTION 1.** *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
- Incorporation.** all citizens who now are or may hereafter be inhabitants of the Town of Mount Carmel, located on the Savannah Valley Railroad, in Abbeville County, shall be, and are hereby declared, a body politic and corporate, and the said town shall be called
- Limits.** Mount Carmel, the limits of which shall extend in every direction one-half of one mile from the depot of the said railroad, thus forming a circle.
- Intendant and Wardens.** **SEC. 2.** That the said town shall be governed by an Intendant and four Wardens, who shall have been residents of said town sixty days and citizens of this State twelve months immediately
- First election.** preceding their election, which first election shall be held within sixty days after the approval of this Act, at such time and place in said town as may be designated by Patrick L. McCelvey, John
- Managers.** W. Morrah and William Scott, who shall be Managers, and who shall advertise said election at least two weeks in some paper published in the County, conduct and declare the result of said election, and administer the necessary oath to the Intendant and
- Term of office.** Wardens elect. And the said Intendant and Wardens shall hold office until the second Monday in March, A. D. 1888. At such
- Electors.** election all qualified electors who have resided in the town for sixty days shall be entitled to vote.
- Subsequent elections.** **SEC. 3.** The election for Intendant and Wardens shall be held on the second Monday in March, 1888, and every two years thereafter, from ten o'clock in the morning to four o'clock in the afternoon, at such place as shall be designated by the Intendant and Wardens, ten days' previous notice being given, at which election all male inhabitants twenty-one years of age, who have

resided in said town sixty days and have been citizens of this State twelve months immediately preceding said election, shall be entitled to vote. Managers of Election shall be appointed by the Intendant and Wardens, who shall conduct the election, count the votes, declare the result and give notice thereof to the persons elected. The Intendant and Wardens so elected, before entering upon the duties of their office, shall take and subscribe the oath required by the Constitution of the State.

A. D. 1885.

Managers.

Oath of office.

SEC. 4. That in case of sickness or temporary absence of the Intendant, the Wardens shall elect one of their members to act as Intendant during such sickness or absence. And in case a vacancy shall occur in the office of Intendant or any of the Wardens, by death, resignation, removal from the State, or from any other cause, an election shall be held to fill such vacancy.

Vacancies.

SEC. 5. It shall not be lawful for any Intendant or Wardens or Town Council to issue a license to any person or persons to sell any kind of spirituous or intoxicating liquors, wines, beers, bitters, fruits prepared with such liquors, in said town; and any person or persons selling such liquors, wines, beer, or fruits prepared with such liquors, shall be subject to all the penalties imposed by the laws of this State in cases of selling such liquors without license.

Liquor
licenses pro-
hibited.Penalties for
selling liquor.

SEC. 6. The Intendant and Wardens of said town shall have power and authority to ordain and establish all such rules, by-laws and ordinances respecting the streets, ways, public wells, springs, market and police, as may be necessary for preserving the health, peace, order and good government in said town: *Provided*, Said laws are not repugnant to the laws of the State.

Rules, by-
laws and ordi-
nances.

SEC. 7. The Intendant, as often as occasion requires, shall summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for business, and shall be known by the name of the Town Council of Mount Carmel. The Council thus organized shall have the same power which a Trial Justice now has to try, fine and punish any person or persons violating any of the town ordinances. They shall have power to appoint, from time to time, such and so many proper persons to act as Marshals or Constables as they may deem expedient; and such officers shall have all the powers, privileges and emoluments, and be subject to all the duties, penalties and regulations, provided by the laws of this State for the office of Constable.

Council meet-
ings.Powers of
Council.

Marshals.

A. D. 1885.
Streets and
ways. SEC. 8. It shall be the duty of the Council to keep all streets and ways necessary for public use in said town open and in good order, and for that purpose are hereby invested with all the powers, rights and privileges granted by law to County Commissioners within the limits of said town; and they shall have the power to compound with all persons liable to work on said streets and ways and release them from said work upon their paying such a commutation tax as the Town Council may deem fair and equivalent.

Right to
compound.

Taxes.

SEC. 9. The said Council shall have power to impose an annual tax on all real and personal property within the corporate limits of said town not to exceed one mill.

Licenses.

SEC. 10. The said Council shall have power to charge such license to auctioneers, peddlers, street vendors, shows, exhibitions and circuses as they may deem proper.

Property
rights.

SEC. 11. The said Council shall be empowered to retain, possess and enjoy all such property as they may now be possessed of or entitled to, or which shall hereafter be given, bequeathed to or in any way acquired by them, and to sell, alien or in any way transfer the same or any part thereof.

SEC. 12. This Act shall continue of force for twenty years.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
 President of the Senate.
 JAMES SIMONS,
 Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
 Governor.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE TOWN OF ROWESVILLE," APPROVED FEBRUARY 9TH, 1876.

A. D. 1885.
No. 110.

SEC. 1.—Additional Sections added, to wit :

SEC. 4.—Tax levies. Returns.

SEC. 5.—Enforcement of taxes. Lien.

SEC. 6.—Licenses.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the Town of Rowesville," approved February 9th, 1876, be, and the same is hereby, amended by adding thereto the following Sections, to be known as Sections 4, 5 and 6 :

A. A. 1876.
16 Stat. 37,
amended by
adding Sec-
tions.

SECTION 4. That the Town Council of the Town of Rowesville shall have power and authority to levy an annual tax, not exceeding two mills, on the assessed value of the real and personal property within the corporate limits of said town, (except such property as may be exempt from taxation by the Constitution and laws of this State). All real and personal property within the limits of said town not exempted from taxation by law shall be returned annually for taxation by the owners thereof, under oath, at its actual value, at such time and place as the said Town Council may designate, and in such manner as said Town Council may prescribe ; and the said Council shall have power to amend and equalize said assessment and returns: *Provided*, That no return or assessment shall be altered or increased until the person making the same shall be notified and given an opportunity for hearing before said Council.

Authority to
levy tax.

Annual re-
turns.

Equalizing
assessments.

SECTION 5. That the said Town Council shall have the power to enforce the payment of all taxes levied under authority of this Act against the property of defaulters to the same extent and in the same manner as is provided by law for the collection of State and County taxes, except that executions to enforce the payment of the taxes due the said town shall be issued under the seal of the corporation and be directed to such member of the police force as the said Council may designate for that purpose ; and all property upon which a tax shall be levied is hereby declared and made liable for the payment thereof in preference to all other debts against the said property, except debts due the State and County, which shall first be paid.

Enforcement
of taxes.

Executions.

Lien for taxes.

A. D. 1885.

Licenses.

SECTION 6. That the said Town Council shall have full and only power to grant or refuse license to any person, firm, company or corporation engaged in, or intending to be engaged in, any trade, business or profession within the corporate limits of said town, upon such conditions as to them may seem proper and right, not in conflict with the laws of this State; and shall have power to enforce the payment of such license in such manner as said Council shall by ordinance provide.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

No. 111. AN ACT TO INCORPORATE THE WILMINGTON, CHADBURN AND CONWAY RAILROAD COMPANY.

- SEC. 1.—Incorporation. Name.
- SEC. 2.—Route of road. Crossing streams and roads. Powers.
- SEC. 3.—Wharves and vessels. Branch roads.
- SEC. 4.—Capital stock. Subscriptions.
- SEC. 5.—Organization. Quorum. Voting stock. President and Directors.
- SEC. 6.—Telegraph and telephone lines. Branches.
- SEC. 7.—Increase of capital. Shares. Bonds and mortgages.
- SEC. 8.—County and Township subscriptions.
- SEC. 9.—Election upon question of subscription.
- SEC. 10.—Determining the result.
- SEC. 11.—Subscription in bonds. Contents of tax levies.
- SEC. 12.—Railroad tax to pay interest and principal.
- SEC. 13.—Special receipts, fundable in stock.
- SEC. 14.—Right of way. Subject to General Statutes, Chapter XL.
- SEC. 15.—Subject to taxation.
- SEC. 16.—Liability of stockholders.
- SEC. 17.—Representation of Township stock by a Commission.
- SEC. 18.—Commission, how ascertained. Their powers, &c.
- SEC. 19.—Public Act. Duration.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That James H. Chadbourn, George Chadbourn, William H. Chadbourn, James H. Chadbourn, Jr., Jeremiah Smith, C. B. Hardie,

Incorporation.

F. A. Prince, E. D. Richardson, H. Hardie, Samuel Hickman, J. C. Bryant, W. H. Privett, Coleman Hardie, their associates, successors and assigns, be, and are hereby, constituted a body politic and corporate, under the name and style of the Wilmington, Chadbourn and Conway Railroad Company.

A. D. 1885.

Name.

Route of road.

SEC. 2. That the said company is hereby authorized to construct, maintain and operate a railroad from a point on the North Carolina State line near the present terminus of a railroad incorporated under the laws of the State of North Carolina by the same name, mainly in the direction of Conway, in the County of Horry, in this State, and to the said Town of Conway, with the privilege to extend and continue the same to Georgetown or other point on the Atlantic Ocean; with the right to cross any river, stream or any other railroad; and such company shall have power to purchase, hold, use, lease and convey such estates and property, real, personal and mixed, for the purposes of the corporation herein provided for, and to acquire the same by gift or devise; to have and use a common seal, which it may change or alter at pleasure; may sue and be sued, plead and be impleaded, in every proper Court of the State of South Carolina; may adopt such by-laws, not inconsistent with the laws of this State, as may be necessary to carry out the objects of the corporation; shall have and enjoy all the rights, powers and privileges of other like corporate bodies under the laws of this State; and shall have the same exclusive right of transportation over its road and branches which is now exercised by any other railroad in this State. That the said company shall have power and authority to connect with, or cross, any other railroad or railroads on its proper line, and also to purchase, lease, or consolidate with any other railroad or railroads in or out of the State in such manner and upon such terms as may be agreed between such railroad companies.

Right to cross streams and other roads.

Other powers.

Rights as to other roads.

SEC. 3. That the said company may also own, lease or charter such wharves, steamers and vessels, or other water craft, as may be necessary to conduct a general freighting and passenger business; and may run such branches from its main track to the distance of twenty miles in any direction as it may deem proper.

Wharves and vessels.

Branch roads.

SEC. 4. That for the purpose of raising the capital stock of said company, which shall not exceed five hundred thousand dollars, the incorporators in the first Section named, or any five of them, shall, as soon after the passage of this Act as may be convenient, appoint such Commissioners to open books of subscrip-

Capital stock.

Books of subscription.

- A. D. 1885.** tion at such times and places and under such rules as they may
Stock sub- prescribe. The capital stock of said company shall be divided
scriptions. into shares of the value of twenty-five dollars each; and sub-
 scriptions thereto may be received, payable in money, bonds or
 other valuable securities, lands, labor, or any material necessary
 for the construction or equipment of said road, in such manner
 and on such terms and conditions as may be agreed upon
 between said company and such subscribers.
- Organization.** SEC. 5. That whenever the sum of five thousand dollars shall
 have been subscribed to the capital stock of said company, it
 shall be the duty of said corporators, or any five of them, to
 call a meeting of the stockholders, after giving such notice as
 to them shall seem sufficient, at such time and place as they
 shall determine. At all general meetings of said stockholders,
 not less than a majority of all the stock subscribed shall con-
 stitute a quorum for the transaction of business. Said stock
 may be represented in person or by proxy, and stockholders
 shall be entitled to one vote for each share held by them in all
 meetings of said company. Said stockholders, when so met in
 general meeting, shall have power to elect a President and nine
 Directors of said company, whose term of office shall be for one
 year and until their successors are chosen.
- Quorum.** SEC. 6. That the said company may construct, own and
 operate one or more telegraph or telephone lines along the line
 of the said railroad, and may construct or aid others in con-
 structing any lateral or other railway branch, branches or
 feeders to their main railway, using on such branches either iron
 or wooden rails; such branches to be built or aided on such
 terms and conditions as said company may direct.
- Votes of stock.** SEC. 7. That said company shall have the privilege of
 increasing its capital stock to such an amount as may be found
 necessary to carry out the intention and purposes of this Act,
 said amount not to exceed seven hundred and fifty thousand
 dollars, and the shares of stock shall be transferable in such
 manner as the by-laws may direct; and the said company shall
 have power to mortgage its property and franchises, and to issue
 bonds on such terms and conditions, and for such purposes and
 uses of said corporation, as the said company may deem
 necessary: *Provided*, The same be done according to the laws
 of this State.
- President and Directors.** SEC. 8. That in addition to the provisions contained in a pre-
 ceding Section for private and individual subscriptions, it shall
- Telegraph and telephone lines.**
- Branches.**
- Increase of capital.**
- Shares.**
- Bonds and mortgages.**
- County and Township sub-
scriptions.**

and may be lawful for the County of Horry aforesaid, or for any Township in said County interested in the construction of said railroad and its appurtenances, to subscribe to its capital stock such sum as a majority of their voters may authorize the County Commissioners of said County to subscribe thereto, which subscription shall be made in seven per cent. bonds, that is, bonds bearing interest at the rate of seven per centum per annum, the interest payable in such installments as the County Commissioners aforesaid shall determine, said bonds to be made payable twenty years after the date thereof, and to be of the denomination of one hundred dollars, five hundred dollars and one thousand dollars, which bonds shall be received by said company at par: *Provided*, That all the money so subscribed by the County of Horry, or by any Township therein, shall be expended in the construction of said railroad within the limits of said County of Horry.

A. D. 1885.

Description
of bonds.Where ex-
pended.Petition for
election.

SEC. 9, That for the purpose of determining the amount of said subscriptions, it shall be the duty of the County Commissioners of Horry County, upon the written application of a majority of the male real estate owners and voters in any Township of said County interested in, or desirous for, the construction of said railroad, specifying the amount to be subscribed in such Township, to submit to the qualified electors of each Township so applying the question of subscription, or no subscription, to the capital stock of said company, and they shall have power to order an election, specifying the time, place and purpose of the election, and to appoint three Managers at each election precinct in each of said Townships, who shall, without compensation, hold and conduct said election, at which election the ballots shall have written or printed thereon either the word "Subscription," or the words "No Subscription," the said County Commissioners having first, by resolution of their Board, fixed the amount proposed to be subscribed by each of said Townships according to the request of the respective petitions submitted to them, notice of which resolution, or resolutions, shall be given by the Chairman of the Board, in a newspaper published in said County, for twenty-one days next previous to such election: *Provided*, That if two or more petitions submitting different amounts of subscription be presented from the same Township, that one be acted upon by the County Commissioners which specifies the largest amount to be subscribed: *Provided, also*, If there be no newspaper published in the County

Election.

Ballots.

Petitions for
different
amounts.Notice of
election.

- A. D. 1885.** at the time, the notice of resolution shall be given by the Chairman of the Board by posting the same in three public places in the Township, or Townships, in which the vote is to be taken, for at least twenty-one days prior to such election. And it shall be the duty of the County Commissioners and other County officials named in any of the Sections of this Act to carry out the provisions of this Act, under the pains and penalties prescribed by law against them with regard to their general duties.
- Penalties.**
- Determining the result.** SEC. 10. It shall be the duty of the Managers to make returns, and to meet at the Court House and to count the votes and declare the result as in other elections, which result shall be certified in writing by the Chairman of each Board of Managers to the Chairman of the Board of County Commissioners.
- Subscription in bonds.** SEC. 11. In case the majority of the ballots cast shall have printed or written thereon the word "Subscription," the Chairman of the Board of County Commissioners shall be authorized and required to subscribe to the capital stock of said company, in behalf of such and each Township so voting, the sum or sums which may have been fixed and named respectively in the resolution of said Board, published as aforesaid, which subscription shall be in seven per cent. bonds, as aforesaid, with interest payable as aforesaid; but in all subscriptions made under the direction of a Township election, as authorized by this Act, it shall be so expressed in the bonds and coupons issued in payment of such subscription under the provisions of this Act; and all tax levies for the purpose of raising funds to pay the said bonds or coupons shall be made only upon the taxable property of such Township so voting for the same, as aforesaid.
- Statement to be incorporated.**
- Tax levies.**
- Assessment to pay interest.** SEC. 12. That for the payment of the interest on said bonds, the County Auditor of said County, or other officer discharging such duties, shall be authorized and required to assess annually, upon the property of such Township and each Township which voted for subscription as aforesaid, such per centum as may be necessary to pay said interest on its subscription ascertained as aforesaid, which shall be known and styled in the tax books as said railroad tax, which shall be collected by the Treasurer of said County under the same regulations as are provided by law for the collection of taxes in any of the Counties, cities or towns so subscribing, and which shall be paid over by the said Treasurer to the holders of said bonds as the said interest shall be
- Railroad tax.**

come due : *Provided*, That within ten years of the time said bonds shall fall due the money to pay the same shall be raised by taxation in the same manner and paid out by the County Treasurer as provided above for the payment of the annual interest.

A. D. 1885.

Payment of the principal.

SEC. 13. That in collecting said taxes the County Treasurer shall deliver to the taxpayer a special receipt therefor, which shall express that the amount stated therein is the tax for said railroad ; and when any person, a holder of such receipts, issued in his own name or in that of another person, and duly transferred to such holder by the endorsement thereon of the name of the person to whom the same was issued, or his legal representatives, shall present an amount thereof to the President of said company equal to one share of the stock of said company, the said President shall cause to be issued to the holder of said receipts one share of stock, and such person shall be a stockholder in said company from the date of the scrip for such stock so issued, and the like proceeding and rights and liabilities shall be had and attach to any person who may present such tax receipts amounting to any number of shares more than one : *Provided*, That said scrip shall not be issued for any fractional part of a share.

Special receipts.

Fundable in stock.

SEC. 14. That said railroad company shall have every right, privilege and power necessary for the purpose of acquiring such lands or rights of way as they may require for the location or construction of said railroad, telegraph and telephone lines, or for the erection or location of depots, warehouses, stations, wharves, bridges and other necessary establishments, or for extending or altering the same ; and the said company shall have the benefit of every process or proceeding, and shall be subject to all the restrictions provided or imposed in Chapter XL of the General Statutes, entitled "The General Railroad Law," and the various amendments thereto, and shall be subject to all the restrictions imposed by law in this State upon corporations organized under charters which are applicable to railroads.

Right of way.

Subject to provisions of Gen. Stat. Ch. XL.

SEC. 15. Nothing in this Act contained shall be construed to exempt the property of said railroad company from taxation for State and County purposes.

Subject to taxation.

SEC. 16. Each stockholder in the said corporation shall be jointly and severally liable to the creditors thereof in an amount (beside the value of his share or shares therein) not exceeding five per cent. of the par value of the share or shares held by him

Liability of stockholders.

A. D. 1885.

Provisoos.

Trustees.

Representa-
tion of Town-
ship stock.How the
proper persons
are to be ascer-
tained.Powers of
Commission.

at the time the demand of the creditor was made: *Provided*, That such demand shall have been payable within one year: *Provided, also*, That proceedings to hold such stockholder liable therefor shall be commenced within two years after such debt may have become due, and whilst he remains a stockholder therein, or within two years after he shall have ceased to be such stockholder: *Provided, further*, That no person holding a share or shares as executor, administrator, trustee, or in any other fiduciary capacity, shall be liable thereon beyond the value of the estate held by him as such executor, administrator, trustee, or in any fiduciary capacity.

SEC. 17. That in all meetings or conventions of the stockholders of said company; each Township which has subscribed, as hereinbefore provided, to the capital stock of said company shall be represented by a commission to be composed of the five male resident real estate taxpayers of such subscribing Townships who may be the owners of the largest amount in value of real estate therein, any firm or corporation to be represented on said commission by a representative to be chosen by such firm or corporation: *Provided*, Such representative shall be a member or officer of such firm or corporation.

SEC. 18. That for the purpose of constituting said commission, the Chairman of the Board of County Commissioners, in ample time prior to each annual meeting of the stockholders of said company, shall procure from the County Auditor a certified list, under the oath of the Auditor, of the five male resident taxpayers of each subscribing Township who may be the owners of the largest amount in value of real estate therein, which list or lists shall be published at least for one week in the County paper, if any, and if not, posted at the Court House door for at least one week prior to such meeting, by said Chairman; and it shall be the duty of the said Chairman of the Board of County Commissioners, at least one week prior to such meeting, to give to each qualified real estate taxpayer as aforesaid a certificate of his appointment as a member of such commission, signed by said Chairman, with the seal of the Board of the County Commissioners placed thereon; and upon receiving such certificates, said commissioners shall have power and authority to represent the stock of the Township for which they were appointed, as hereinbefore provided, each commissioner to represent one-fifth of the stock of his Township, and shall be entitled to one vote for each share which he so represents: *Provided*, That each

commissioner, when once regularly appointed, shall be authorized and required to act and serve for twelve months from the date of their appointment and until their successors be appointed and notified, all vacancies, however caused, by death, resignation, removal, or otherwise, to be filled by the same authority in the same manner.

A. D. 1885.
Term of office.

Vacancies.

SEC. 19. This Act shall be deemed a public Act, shall take effect on and after its passage, and shall remain of force for the term of forty years.

Public Act.

Its duration.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO PROVIDE FOR REINDEXING CERTAIN RECORDS IN No. 112.
THE OFFICE OF MESNE CONVEYANCES FOR ANDERSON
COUNTY, AND TO AUTHORIZE AND REQUIRE THE COUNTY
COMMISSIONERS OF SAID COUNTY TO LEVY A SPECIAL TAX
TO DEFRAY THE EXPENSES OF THE SAME.

SEC. 1.—New indexes for deeds and mortgages.

SEC. 2.—Size and quality of books.

SEC. 3.—Supervision of Register. Expenses.

SEC. 4.—Tax levies. How paid. Commission to approve.

SEC. 5.—When paid. Pay of Commission. Surplus.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act the Register of Mesne Conveyances for Anderson County is authorized and required to have prepared new indexes of the matters of record in said office hereinafter provided for. Said indexes shall consist of: 1st. A direct and cross index to conveyances of real estate; 2d. A direct and cross index to mortgages of real estate; the said

New Indexes.

For conveyances.
For mortgages.

- A. D. 1885.** indexes to be prepared upon what is known as the lexicographical plan.
- On lexicographical plan.**
Books. SEC. 2. That said indexes shall be prepared in books which shall conform in size and quality prescribed by Section 769 of the General Statutes of South Carolina, and shall be furnished by the said Register.
- Supervision.** SEC. 3. That said indexes shall be prepared under the supervision of the said Register of Mesne Conveyances, and the
- Expenses.** expenses of making the same shall be paid by the County Commissioners of said County, in the manner provided in the subsequent Section.
- Tax levies to defray expense.** SEC. 4. That for the purpose of defraying the expenses of said indexing, the County Commissioners of Anderson County are authorized and required, for the fiscal year beginning 1st November, 1885, to levy and collect a tax of one-eighth of one mill, and for the fiscal year beginning the 1st November, 1886, to levy and collect one-fourth of one mill upon all taxable property in said County, at the same time and in the same manner as is provided by law for the collection of State and County taxes; and the said three-eighths of one mill shall be paid to the said Register of Mesne Conveyances for the said work, or so much thereof as the commission hereinafter provided for shall fix as a fair compensation therefor: *Provided*, That no part of the one-fourth of a mill collected for the year beginning 1st
- How paid.** November, 1886, shall be paid out until a commission shall certify that they have examined the work and it has been carefully and accurately performed, said commission to be appointed as follows: One member by the County Commissioners, one by the Master, and one by the Circuit Judge presiding at the next term after the work is completed.
- To be approved by a Commission.**
- When paid.** SEC. 5. The County Commissioners shall draw their check on the County Treasurer for the one-eighth of one mill, payable to the said Register of Mesne Conveyances as soon as collected, for the full amount collected, and they shall draw their check as above for the one-fourth of a mill, or so much thereof as commission shall fix as the value of the work, after deducting the amount received as proceeds of the one-eighth mill levy, to be collected for the fiscal year commencing 1st November, 1886, as soon as the commission above provided for shall certify that the work has been completed as herein required: *Provided*, That the
- Pay of the Commission.** said commission shall receive five dollars per day for each day actually engaged in making the examination, no commissioner

to receive, however, more than fifty dollars: *Provided, further,* That should there be a surplus from said levy after paying the above expenses, the same shall be used for ordinary County purposes.

A. D. 1885.
 Surplus.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
 President of the Senate.
 JAMES SIMONS,
 Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
 Governor.

AN ACT TO PROVIDE TWO ADDITIONAL TRIAL JUSTICES FOR No. 113.
 CLARENDON COUNTY.

Near New Zion Church and at Foreston.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That hereafter, in addition to the number of Trial Justices already provided for Clarendon County, there shall be another at or near New Zion Church, and one at the Town of Foreston.

Near New
 Zion Church
 and at Fores-
 ton.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
 President of the Senate.
 JAMES SIMONS,
 Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
 Governor.

A. D. 1885. **AN ACT TO PROVIDE FOR AND REGULATE THE INCORPORATION
OF BANKS IN THIS STATE.**
No. 114.

SEC. 1.—General provisions. Contents of particular charters.

SEC. 2.—Books of subscription. Organization.

SEC. 3.—Banking and other powers.

SEC. 4.—Liability of stockholders.

SEC. 5.—Directors may not borrow.

SEC. 6.—By-laws and other provisions.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

General rights and liabilities. from and after the passage of this Act all banks incorporated in this State shall have all the rights, powers and privileges set forth and granted by this Act, and shall be subject to all the liabilities, limitations and provisions herein contained; and the

Contents of particular charters. Act of incorporation of every such bank shall contain: 1. The names of the corporators. 2. The name of the bank. 3. The location of the bank. 4. The capital stock and how raised. 5. The duration of the charter. 6. A reference to this Act by its title. 7. Such special exceptions to the provisions herein contained, or such additions thereto, as the General Assembly may enact for the better carrying out the objects of the incorporation.

Books of subscription. **SEC. 2.** The corporators of such bank, or any three of them, may open books of subscription to the capital stock of said bank at such time or times and at such places and for such periods as a majority of them may determine; and as soon as

Organization. the sum named in the Act of incorporation shall be subscribed thereto, the before named corporators or a majority of them, on such notice as they may deem sufficient, shall call a meeting of such subscribers, and at such meeting and all future meetings of the stockholders the shares of the capital stock may be

Representation of stock. represented in person or by proxy. The subscribers to said stock, at their meeting to be held as aforesaid, shall elect from

Directors. themselves such a number of Directors of said corporation as they may deem proper, who shall continue in office for one year and until their successors shall be duly elected; and there-

Annual meetings. after there shall be annual meetings of the stockholders of said bank, at which Directors shall be chosen, whose tenure of office

Number of shares of Director. shall be as above provided. Every Director must own in his own right at least ten shares of the capital stock of the said bank. The Directors chosen or elected at any such meeting

shall from among themselves elect a President and Vice President, to act as such during the term of office of such Directors, and they shall perform such duties and exercise such powers as may be prescribed by the by-laws of said corporation, or as shall be incident to their respective offices.

A. D. 1885,

President and Vice President.

Duties and powers.

SEC. 3. Every such corporation may receive and pay out the lawful currency of the country, deal in exchange, gold and silver coin, bullion, uncurrent paper, public and other securities, and stocks of other corporations: *Provided, however,* That no more than an amount equal to one-half of the capital stock of said bank shall be invested in mortgages of real estate at any one time; may purchase and hold such real estate and personal property as may be conveyed to it to secure debts to the corporation, or may be sold under execution to satisfy any debts due in whole or in part to the corporation, and as may be deemed necessary or convenient for the transaction of its business, and may sell and dispose of the same at pleasure; may discount notes, bills of exchange, bonds and other evidences of debt, and lend money on such terms as may be agreed on, subject to the usury laws of the State. It may receive on deposit moneys on such terms as may be agreed on with depositors, and issue certificates therefor, negotiable or assignable in such way as may be inserted in the same; said corporation may sue and be sued, plead and be impleaded, in any Court in this State; may adopt and use a corporate seal, and may alter the same at its pleasure; may adopt all such by-laws for the general management and direction of the business and affairs of said corporation, not inconsistent with the laws of the United States and of this State, as may be deemed proper, and may add to, alter or amend the same from time to time as may be desired, and shall have generally all the rights, powers and privileges in law incident or appertaining to such corporations.

Banking powers.

Mortgages.

Real estate.

Other banking powers.

Other powers.

SEC. 4. The stockholders of said bank shall be liable to the amount of their respective share or shares, and five per cent. thereof in addition thereto, for all of its debts and liabilities upon note, bill or otherwise.

Liability of stockholders.

SEC. 5. No Director or other officer of such bank shall borrow any money from said bank. And if any Director or other officer shall be convicted, upon indictment, of directly or indirectly violating this Section, he shall be punished by fine or imprisonment, or both, at the discretion of the Court.

Directors may not borrow.

Penalty.

A. D. 1885.

By-laws.

Officers and
employees.

Subscriptions.

Sale of stock.

Deficiency.

Books, &c.,
open for in-
spection.

SEC. 6. The Directors of such bank may make and change by-laws, not inconsistent with law, regulating the manner in which the stock of said bank shall be transferred, its Directors elected or appointed, its property transferred, its general business conducted, and the privileges granted to it by law exercised and enjoyed. The Directors may appoint all necessary officers and employees of said corporation, fix their compensation and take security for the faithful discharge of their respective duties, prescribe the manner of paying for the stock of the corporation and the transfer thereof; and may, from time to time, prescribe such penalties for the non-payment of subscriptions to the capital stock of the corporation as they may deem proper; and the same, together with any unpaid installments on such subscriptions, may be recovered in any Court having jurisdiction of the aggregate amount so due, or the stock may be sold for cash after twenty days' notice, advertised in the nearest newspaper; and if at any such sales the sum bid should not be sufficient to satisfy and discharge the amount so due, together with the costs and charges incident to such sale, the subscriber in default shall be liable for any deficiency, and the same may be recovered in the name of the corporation in any Court having jurisdiction. The books, papers and accounts of said bank shall be open to inspection under such regulations as may be prescribed by law.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AUTHORIZE THE PAYMENT OF A CERTAIN COUPON
TO THE HOUSE OF REST.

A. D. 1885.

No. 115.

To be paid thirty dollars on a coupon.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer be, and he is hereby, authorized and directed to pay to the House of Rest, in the City of Charleston, the sum of thirty dollars out of any funds in the State Treasury not otherwise appropriated, the same being for one coupon from one Green Consol bond of this State, due the first day of January, A. D. one thousand eight hundred and seventy-nine; said payment to be made on the warrant of the Comptroller General, which shall issue on the application of Miss Celia Campbell, as Treasurer of the said House of Rest, accompanied by a surrender of the said coupon.

To be paid
\$30 on a coupon.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.

JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO INCORPORATE THE BLACKVILLE AND ALSTON No. 116.
RAILROAD COMPANY.

- SEC. 1.—Incorporation. Name.
- SEC. 2.—Route of road.
- SEC. 3.—Capital stock. Organisation.
- SEC. 4.—By-laws. Officers. Other powers.
- SEC. 5.—Subscriptions. Bonds and mortgages.
- SEC. 6.—Rights of way.
- SEC. 7.—Rights as to other roads.
- SEC. 8.—Rights over acquired roads.
- SEC. 9.—Liability of stockholders.
- SEC. 10.—Subject to general railroad law.
- SEC. 11.—Public Act. Duration. Proviso.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That E. S. Hammond, C. J. Stroman, W. J. Assman, J. C. Swygert, Incorporation.

A. D. 1885.	J. L. Dominick, D. H. Sally, J. C. Howell, R. T. Dority, J. M. Sally, J. W. Dreher, P. W. Farrell and Simon Brown, and such other persons as may be associated with them, their successors and assigns, be, and they are hereby, created a body politic and corporate, by the name and style of the Blackville and Alston Railroad Company.
Name.	
Route of road.	SEC. 2. That the said company be, and it is hereby, authorized and empowered to construct, operate and maintain a railroad, extending from the Town of Blackville, through or near Johntown, to the Town of Alston, by the most feasible route, as may be determined upon by the corporators of said company.
Capital stock.	SEC. 3. That the capital stock of said company shall be one hundred and fifty thousand dollars, in shares of one hundred dollars each, with the privilege of increasing the capital stock in such amount as may be necessary to carry out the intention and purposes of this Act, said amount not to exceed five hundred thousand dollars, and the shares may be transferable in such manner as the by-laws may direct: <i>Provided</i> , That when
Limit.	
Transfer of shares.	
Organization.	the sum of fifty thousand dollars shall have been subscribed to the capital stock of said company, the corporators, or a majority of them, shall organize by holding a meeting and electing the necessary officers.
By-laws.	SEC. 4. The said corporation may make such by-laws for its regulation and government in any and all matters whatsoever, not inconsistent with the Constitution and laws of the United States and of this State, as may be deemed necessary, and may add to, alter or amend the same from time to time as may be desired; may appoint all necessary officers and prescribe their duties; may sue and be sued, plead and be impleaded, in any Court in this State or in the United States, and may accept, purchase, hold, lease or otherwise acquire any property, real or personal, necessary or convenient to and for the purposes of the corporation, and may use, sell and convey and dispose of the same as the interest of the company may require; may make contracts, have and use a common seal, and do all other lawful acts properly incident to and connected with such corporation, and necessary and convenient for the control and transaction of its business.
Officers.	
Other powers.	
Books of subscription.	SEC. 5. For the purpose of raising the capital stock of any company so incorporated, it shall be lawful to open books of subscription at such times and places and under the direction of
Subscriptions.	such persons as the corporators may appoint; and such subscrip-

A. D. 1885.

Bonds and mortgages.

tions to the capital stock may be made in land, money, bonds, machinery, materials and work, at such rates as may be agreed upon with the company; and said company shall have power to mortgage its property and franchises, and issue bonds on such terms and conditions, and for such purposes and uses of the corporation, as the company may from time to time deem necessary.

Rights of way.

SEC. 6. The said railroad company shall have every right, power and privilege necessary for the purpose of acquiring such lands or rights of way as they may require for the location or construction of said railway, or for the erection or location of depots, warehouses, stations and other necessary and convenient establishments, or for extending or altering the same, and shall have the benefit of every process or proceeding, and shall be subject to all the restrictions, which shall or may be provided or imposed by the laws of the State.

Rights as to other roads.

SEC. 7. The said company shall have full power and authority to connect with or cross any other railroad or railroads on its proposed line, and also to purchase, lease or consolidate with any other railroad or railroads, in or out of this State, in such manner and upon such terms as may be agreed between such railroad companies: *Provided*, That the same be not inconsistent with the laws of this State, or of the United States.

Rights over acquired roads.

SEC. 8. The said company shall be further authorized and empowered forthwith, upon the completion, or acquirement by purchase, lease or consolidation, of any portion or section of said railroad between any points through which the same may run under its charter, to operate and maintain such portion and section, with all the rights, powers and privileges hereby granted to the company.

Liability of stockholders.

SEC. 9. Every stockholder in said corporation shall be jointly and severally liable to the creditors thereof in an amount, beside the value of his share or shares therein, not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditor was created: *Provided*, That such demand shall have been payable within one year: *Provided*, also, That proceedings to hold such stockholders liable therefor shall be commenced whilst he remains a stockholder therein, or within two years after he shall have ceased to be such stockholder: *Provided*, further, That persons holding stock in such company as executors, administrators, or by way of collateral security, shall not be personally subject to the liabilities of the

Provisoos.

Trustees.

A. D. 1885.

stockholders under the foregoing provisions, but the persons pledging such stock shall be liable as a stockholder, and the estates and funds in the hands of such executors or administrators shall be liable in their hands, in like manner and to the same extent as the deceased testator or intestate, or the ward or person interested in such trust fund, would have been if they had respectively been living and competent to act and hold the stock in their own names.

Subject to
General Rail-
road Law.

SEC. 10. The said corporation shall be subject to the duties, liabilities, restrictions and other provisions contained in General Statutes, Chapter XL, "Of Railroad Corporations—General Railroad Law," one thousand eight hundred and eighty-one, with all the amendments which have been or may hereafter be made thereto.

Public Act.

Duration.

Proviso.

SEC. 11. This Act shall be deemed and taken as a public Act, and shall continue in force for thirty years: *Provided, however,* That the said railroad shall be commenced within two years and completed within six years from the approval of this Act.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

No. 117. AN ACT TO INCORPORATE THE CHERAW AND CAMDEN SHORT LINE RAILROAD COMPANY.

SEC. 1.—Incorporation. Name. Rights and powers.

SEC. 2.—Route of road. Crossing. Branches.

SEC. 3.—Capital stock. Town subscriptions.

SEC. 4.—To be furnished convicts. Pay for their hire.

SEC. 5.—Public Act. Duration. Proviso.

Preambles.

Whereas, a charter has been heretofore granted to the Palmetto Railroad Company, and the said charter, being about to expire, was extended, and said extension being now about to expire; *and, whereas*, the said railroad has not been built and cannot now be completed, as provided by said charter and exten-

sion thereof; *and, whereas*, it is of great importance that a railroad be built over or near the line contemplated by said charter:

A. D. 1885.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That James C. Coit, H. D. Malloy and James Harden, of Chesterfield County; John K. Pegues and N. L. Sweet, from Marlboro County; H. G. Carrison, H. Baum and J. E. Norwood, from Kershaw County; A. J. China, Horace Karby and M. G. Ritenburg, from Sumter County, and Edward D. Gilmore, Joseph M. English and Frank Hampton, from Richland County, their associates, successors and assigns, be, and they are hereby, constituted a body politic and corporate, under the name and style of the Cheraw and Camden Short Line Railroad Company, with all rights, powers and privileges incident to such corporations under the laws of this State.

Incorporation.

Name.

Rights and powers.

SEC. 2. That said company shall have power to construct a railroad from some point on the North Carolina line, by way of Cheraw and Camden, to Columbia, and to the Georgia line at any point in Aiken, Barnwell or Edgefield Counties, the route to be determined by the said company, with the right to cross any river, stream, or other railroad, and to have power to run such branches from its main trunk, with either wooden or iron rails, to a distance not exceeding forty miles from said main line, as they may deem proper.

Route of road.

May cross streams and other roads.

Branches.

SEC. 3. The capital stock of said company shall be five hundred thousand (\$500,000) dollars, but the said company shall have the right to commence work when twenty-five thousand (\$25,000) dollars is subscribed; the said stock to consist of shares of twenty-five (25) dollars each; subscriptions to be made in money, material or labor of any kind. And the incorporation above named shall have power to open books of subscription to the capital stock of said company, and it shall be lawful for any incorporated town in this State to exchange seven per cent. bonds of said incorporated town for first mortgage bonds of the said company in such sums as the qualified voters of said town shall determine at an election to be ordered by the Town Council of said town; and the coupons of said bonds so exchanged by the town or towns shall be receivable for all debts due said town or towns by said railroad company; said bonds to run not more than ten years.

Capital stock.

Shares.

Books of subscription.

Town subscriptions in bonds.

Election.

Coupons receivable for dues.

A. D. 1885. SEC. 4. That for the purpose of aiding in the building of said
 Hire of con- railroad, the Superintendent of the Penitentiary shall, at the
 victs. discretion of the Board of Directors, furnish said company such
 number of convicts as may be agreed upon for the purpose of
 constructing said railroad: *Provided*, That said company do
 Pay for con- pay to the State the sum of one (\$1.00) dollar per day for
 victs. each convict furnished for every day such convict shall actually
 be engaged in said labor, the same to be paid by first mortgage
 bonds of said company, to be issued at the rate of not more than
 ten thousand (\$10,000) dollars per mile: *Provided*, That the ex-
 Expense of f penses of guarding said convicts and furnishing them with suit-
 guarding, &c. able diet, clothing and all necessary medical attention be paid
 by the said company in cash, the amount of such cash payments
 to be deducted from the amount of the bonds to be paid by the
 said company to the State for the labor of said convicts.

Public Act. SEC. 5. This Act shall be deemed and taken to be a public
 Duration. Act, and shall continue in force for thirty years: *Provided*,
 Proviso. That work under the same shall be commenced and the road
 graded from Hamlet, in North Carolina, to Camden, in South
 Carolina, within three years from its passage, and that the same
 be completed to Camden in five years; otherwise this charter
 shall be null and void.

In the Senate House, the twenty-fourth day of December in
 the year of our Lord one thousand eight hundred and eighty-
 five.

J. C. SHEPPARD,
 President of the Senate.
 JAMES SIMONS,
 Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
 Governor.

AN ACT TO INCORPORATE THE FIDELITY SAVINGS AND BUILDING ASSOCIATION.

A. D. 1885.

No. 118.

- SEC. 1.—Incorporation. Name. Capital stock.
 SEC. 2.—By-laws. Other powers.
 SEC. 3.—Real estate.
 SEC. 4.—Investment of funds. Property rights. Interest.
 SEC. 5.—Board of Directors.
 SEC. 6.—Division and dissolution.
 SEC. 7.—Liability of Directors.
 SEC. 8.—Fraudulent misrepresentation a misdemeanor.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Henry Schachte, Simeon Hyde, Jr., Joseph M. Thomas, Ignatius O'Neil and René R. Jervy, together with such persons who are or may hereafter be associated with them, be, and they are hereby, declared a body corporate and politic, for the purposes of buying and selling real estate, bonds, stocks and other securities, and of making loans of money secured by mortgages of real estate and pledges of personal property or security, by the name and style of the Fidelity Savings and Building Association. The capital stock of said association shall consist of two thousand (2,000) shares, but as soon as three hundred shares are subscribed the association shall organize and commence operations, said shares to be paid by successive monthly installments of one dollar on each share as long as the corporation shall continue, the shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines and forfeitures for default in their payments, according to such regulations as may be prescribed by the by-laws of said corporation.

SEC. 2. That the said corporation shall have power and authority to make any such rules and by-laws for its government as are not repugnant to the Constitution and laws of the land; shall have such members and succession of officers as shall be ordained and chosen according to their said rules and by-laws made or to be made by them; shall have and keep a common seal, and may alter the same at will; may sue and be sued, plead and be impleaded, in any Court of competent jurisdiction in this State, and shall have and enjoy all and every right and privilege incident and belonging to corporate bodies according to the laws of the land.

Incorporation.

Name.

Capital stock.

Provisions as to shares.

By-laws.

Members and officers.

Other powers.

A. D. 1885.	SEC. 3. That the said corporation shall have the power to take, purchase and hold real estate, and to sell and transfer the same in such manner as the by-laws may direct: <i>Provided</i> , That the real estate held by the said corporation shall not at any time exceed the value of two hundred thousand dollars (\$200,000.)
Real estate.	
Limit.	
Investment of funds.	SEC. 4. That the funds of the said corporation shall be invested in real estate, bonds, stocks and such other property as the said corporation may direct, and shall be loaned upon such terms and conditions as the corporation may prescribe by its rules and by-laws; and it shall be lawful for said corporation to hold such real estate, bonds, stocks and other property so bought, mortgaged or pledged to them, and may sell, alien, mortgage, pledge or otherwise dispose of the same as from time to time it may deem expedient: <i>Provided</i> , That no interest shall be charged upon loans by said corporation to its members in excess of the rate of interest fixed by the laws of the State.
Property rights.	
Rate of interest.	
Board of Directors.	SEC. 5. The business of the said corporation shall be carried on and managed by a Board of five (5) Directors, including the President and Secretary and Treasurer, which Board shall have all the powers herein given to the corporation.
Division and dissolution.	SEC. 6. The said corporation shall continue for the term of ten (10) years, at the end of which time its entire property shall be sold and the proceeds divided <i>pro rata</i> among its then stockholders: <i>Provided</i> , That the said corporation may be wound up, its property sold and the proceeds divided as hereinbefore provided in this Section, at any time within said period of ten years that may be determined upon at a meeting of the stockholders of said corporation specially called for that purpose by a vote of a majority of the stock of said corporation.
Liability of stockholders.	SEC. 7. Each stockholder in the said corporation shall be jointly and severally liable to the creditors thereof in an amount, besides the value of his or her shares therein, not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditor was made: <i>Provided</i> , That such demand shall have been payable within one year: <i>And provided, further</i> , That the proceedings to hold such stockholder liable therefor shall be commenced within two years after such debt may have become due, and whilst he remains a stockholder therein, or within two years after he shall have ceased to be such stockholder: <i>Provided, further</i> , That no person holding
Provisoos.	
Trustees.	a share or shares as executor, administrator, trustee, or in any

other fiduciary capacity, shall be liable therefor beyond the value of the estate held by him as such executor, administrator, trustee, or in any other fiduciary capacity.

A. D. 1885.

SEC. 8. Any fraudulent misrepresentation of the capital, resources or property of said corporation by any officer or member thereof shall be deemed a misdemeanor, punishable by fine or imprisonment, at the discretion of the Court.

Fraudulent misrepresentation a misdemeanor.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT RELATING TO THE TIME OF HOLDING CIRCUIT COURTS No. 119.
IN THE SIXTH CIRCUIT.

SEC. 1.—Terms of Court in Sixth Circuit.

SEC. 2.—Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 23 of the Code of Procedure be, and the same is hereby, repealed, and the following is substituted in its place, to be known as Section (23) twenty-three of said Code of Procedure, to wit:

Code, § 23, amended as to terms of Court.

SECTION 23. The Circuit Courts of the Sixth Circuit shall be held as follows:

Terms of Court.

1. The Court of General Sessions at Winnsboro, for the County of Fairfield, on the third Monday in February, the second Monday in June and the third Monday in September; and the Court of Common Pleas at the same place on the Wednesdays following the third Mondays in February and September.

Fairfield.

2. The Court of General Sessions at Lancaster, for the County of Lancaster, on the first Monday in March, the third Monday

Lancaster.

A. D. 1885.

in June, and the first Monday after the fourth Monday in September; and the Court of Common Pleas at the same place on the Wednesday following the first Monday in March, and the Wednesday following the first Monday after the fourth Monday in September.

Chester.

3. The Court of General Sessions at Chester, for the County of Chester, on the third Monday in March, the fourth Monday in June and the third Monday in October; and the Court of Common Pleas at the same place on the Wednesdays following the third Monday in March and the third Monday in October.

York.

4. The Court of General Sessions at Yorkville, for the County of York, on the first Monday after the fourth Monday in March, the first Monday after the fourth Monday in June, and the first Monday after the fourth Monday in October; and the Court of Common Pleas at the same place on the Wednesdays following the first Monday after the fourth Monday in March and the first Monday after the fourth Monday in October.

Repealing
clause.

SEC. 2. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO CREATE A SCHOOL DISTRICT OF THAT PORTION OF COLLETON COUNTY LYING WITHIN THE CORPORATE LIMITS OF THE TOWN OF WALTERBORO.

A. D. 1885.
No. 120.

- SEC. 1.—School District created. Name.
- SEC. 2.—Trustees.
- SEC. 3.—Their powers and duties.
- SEC. 4.—Filling vacancies.
- SEC. 5.—Officers.
- SEC. 6.—Meetings.
- SEC. 7.—Jurisdiction of School Commissioner.
- SEC. 8.—Local school tax provided for.
- SEC. 9.—To be paid on warrant of Trustees.
- SEC. 10.—Treasurer's liability on his bond.
- SEC. 11.—Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That that portion of Colleton County lying within the corporate limits of the Town of Walterboro be, and the same is hereby, created a special School District in said County, to be known as "Walterboro School District."

School district created.
Name.

SEC. 2. That Benjamin Stokes, M. P. Howell, J. F. Lucas, A. Wichman, C. G. Henderson, H. W. Black and W. J. Fishburne, and their successors, to be appointed under the provisions of this Act, be, and the same are hereby, constituted a Board of Trustees for said School District.

Trustees.

SEC. 3. That the said Board of Trustees shall have the following powers and duties: 1st. To discharge the duties of School Trustees, and to have all the powers, privileges, rights and liabilities now possessed by and pertaining to School Trustees. 2d. To determine the studies and class books to be used in the schools of said District. 3d. To elect and dismiss the teachers, to prescribe their duties and term of office, and to make rules for the government of the schools. 4th. To make an annual report of the schools in this District to the Superintendent of Education, on or before the first day of October in each year, to be forwarded through the office of the School Commissioner of Colleton County. 5th. To take in charge and keep in order all buildings and other property belonging to or used for carrying on the schools of the District herein created.

Powers and duties of Trustees.

SEC. 4. That all vacancies that may occur from any cause whatever in the Board of Trustees shall be filled by appointment, to be made by the State Superintendent of Education, whenever the same shall be reported to him by the School Commissioner.

Filling of vacancies.

A. D 1885.

Officers.
Meetings.

SEC. 5. That the Board of Trustees shall elect from its members a Chairman, and also a Secretary and Treasurer.

SEC. 6. That the Chairman shall call meetings of the Board whenever in his judgment it is necessary, or whenever three (3) members of the Board shall in writing request him to do so.

School Com-
missioner's
jurisdiction.

SEC. 7. That the School Commissioner of Colleton County shall have jurisdiction only over the schools and educational interests of his County not comprised within the corporate limits of the Town of Walterboro.

Local school
tax.

SEC. 8. That said School District is also hereby authorized and empowered to levy on all real and personal property returned in said District a local tax not exceeding two (2) mills on the dollar in any one year, to supplement the general tax for the support of schools, by the persons and in the mode following, to

Mode of lay-
ing it.

wit: The said Board of Trustees, if they deem it expedient, shall, on or before the fifteenth day of February, 1886, and on and before the same day in each succeeding year, call a meeting in said School District, of all the legal voters living in above named School District and returning real or personal property

Notice of
meeting.

therein: *Provided*, That public notice of said meetings, specifying the time, place and object, shall be given at least ten (10) days before said meeting, by posting the same in three conspicuous places in the said School District, and by publishing the same at least twice in one of the newspapers having the largest circulation in said School District. The persons answering the

Powers of
the meeting.

above designations, when thus assembled, shall appoint a Chairman, and also a Secretary, adjourn from time to time, and decide what additional tax, if any, shall be levied. No tax thus levied shall be repealed at a subsequent meeting within the same fiscal year. The Chairman of said meeting shall, within one week thereafter, notify the Chairman of said Board of Trustees and the County Auditor of Colleton County, respectively, of the amount of the tax thus levied, and the County Auditor shall at once assess such tax on all real and personal property returned in said School District, and the County Treasurer of said County shall collect said tax with the other taxes for the same year, and said tax shall be liable to like process and penalties as are State and County taxes.

Assessment
and collection
of tax.To be paid on
warrant of the
Trustees.

SEC. 9. The County Treasurer of the County of Colleton shall hold all moneys arising from the Constitutional school tax and poll tax to which said School District may be entitled under the general provisions of law, or under the provisions of this Act,

subject to the warrant of the Board of Trustees of said School District. A. D. 1885.

SEC. 10. All moneys received by the County Treasurer from the local tax herein shall be protected by the official bond of said Treasurer, and shall be paid out only on the warrant of the said Board of Trustees of the said School District. Treasurer's liability on his bond.

SEC. 11. That all Acts or parts of Acts inconsistent with this Act be, and the same are hereby, repealed. Repealing clause.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO REPEAL AN ACT ENTITLED "AN ACT TO PROHIBIT THE SALE OF SPIRITUOUS OR INTOXICATING LIQUORS IN THE COUNTY OF OCONEE," APPROVED DECEMBER 24TH, 1883. No. 121.

Repeal of the Act.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to prohibit the sale of spirituous or intoxicating liquors in the County of Oconee," approved December 24th, 1883, be, and the same is hereby, repealed. A. A. 1883,
18 Stat. 515 re-
pealed.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D 1885.
Officers.
Meetings.

SEC. 5. That the Board of Trustees
bers a Chairman, and also a Secretary

School Com-
missioner's
jurisdiction.

SEC. 6. That the Chairman shall
whenever in his judgment it is
members of the Board shall be

Local school
tax.

SEC. 7. That the School
shall have jurisdiction
interests of his County
limits of the Town

Mode of lay-
ing it.

SEC. 8. That
and empowered
in said District
dollar in
supp

by the County Treasurer from
affected by the official bond of
only on the warrant of the
School District.
inconsistent with this
Repealing
clause.

A. D. 1885.

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resident of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

No. 123. AN ACT TO CHANGE THE NAME OF THE EUTAW PHOSPHATE
COMPANY TO THE YEMASSEE PHOSPHATE COMPANY.

Name of the company changed.

Name chang-
ed.

SECTION 1. *Be it enacted* by the Senate and House of Repre-
sentatives of the State of South Carolina, now met and sitting
in General Assembly, and by the authority of the same, That
the name of the Eutaw Phosphate Company, a corporation duly
chartered by an Act entitled "An Act to charter the Eutaw

Phosphate Company," and Acts amendatory thereof, be, and the same is hereby, changed to the Yemassee Phosphate Company, and under such last mentioned name shall have and possess all the rights, privileges and immunities granted to the Eutaw Phosphate Company in and by the Acts aforesaid.

A. D. 1885.

A. A. 1882, 17
Stat. 747.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

AN ACT TO REPEAL SECTION 304 AND AMEND SECTIONS 310 AND 311 OF THE CODE OF PROCEDURE, WITH RESPECT TO THE LIEN OF JUDGMENTS AND EXECUTIONS AND MODE OF ENFORCING THE SAME, SUBSTITUTING NEW SECTIONS THEREFOR, TO BE KNOWN AS SECTIONS 310, 311, AND TO REPEAL ALL ACTS AND PARTS OF ACTS INCONSISTENT THEREWITH. No. 124.

SEC. 1.—Section 304 of the Code, as to executions, repealed.

SEC. 2.—Section 310, as to judgments, amended.

SEC. 3.—Section 311, as to executions, amended.

SEC. 4.—Action on judgments. Pending suits.

SEC. 5.—Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 304 of the Code of Procedure be, and the same is hereby, repealed.

Repeal of Section 304.

SEC. 2. That Section 310 of the Code of Procedure be, and the same is hereby, amended by the substitution therefor of a new Section to be known as Section 310, which shall read as follows :

Code, § 310, amended.

SECTION 310.—1. A final judgment recovered in any Court of record in this State subsequent to the 25th day of November,

Section 310 as amended.

- A. D. 1885.** **Judgment to constitute lien in the County for 10 years.** **Transcripts.** **Lien where filed.** **Revival within 10 years.** **How done.** **A lien for 10 years from revival.** **Transcripts.** **But not a lien for more than 20 years in all.** **Code judgments prior to November, 1883.** **How revived.**
- A. D. 1873,** shall constitute a lien upon the real estate of the judgment debtor in the County where the same is entered for a period of ten years from the date of entry thereof. And a transcript of such judgment may be filed in the office of the Clerk of the Court of Common Pleas of any other County, and when so filed shall constitute a lien on the real property of the judgment debtor in that County from the date of the filing thereof, with the same force and effect as the original judgment, for the period of ten years from the entry of said original judgment.
2. A final judgment may be revived at any time within the period of ten years from the date of the original entry thereof by the service of a summons upon the judgment debtor, as provided by law, or, if the judgment debtor be dead, upon his heirs, executors or administrators, or, if he be removed out of the State, by publication of such summons in the manner provided in Section 156 for publication of summons on complaint to be filed, to show cause, if any he or they may have, why such judgment should not be revived; and if no good cause be shown to the contrary, it shall be decreed that such judgment is revived. And such judgment shall thereupon constitute a lien upon the real estate of the judgment debtor, then owned or thereafter to be acquired by them, in the County where the judgment is entered, for a period of ten years from the entry of such decree; but such lien shall not revert back to the date of the original entry of such judgment. And a transcript of said summons and decree may be filed in the office of the Clerk of the Court of any other County, and when so filed the judgment shall have like liens in that County from the date of filing of such transcript and for a like period as in the County in which the judgment is revived as aforesaid: *Provided*, That a judgment shall not in any case constitute a lien on any property of the judgment debtor in any County after the lapse of twenty years from the date of the original entry of the judgment.
3. Judgments obtained between the 1st day of March, 1870, and the 25th day of November, 1873, may be revived and made a lien at any time within two years from the date of the passage of this Act by service of summons upon the judgment debtor, his heirs, executors or administrators, or, if he or they be removed out of the State, by publication of the summons as hereinbefore provided, to show cause, if any he have, why the judgment should not be revived and made a lien according to the provisions of this Chapter; and if no

sufficient cause be shown to the contrary, then it shall be decreed that such judgment is revived, and it shall thereupon constitute a lien on all the real property of the judgment debtor in the County where said decree is entered for a period of ten years from the date of the entry of said decree. A transcript of such summons and decree may be filed in the office of the Clerk of the Court of Common Pleas of any other County, and when so filed such judgment shall have like liens in that County from the date of the filing thereof, and for a like period, as in the County in which the judgment is revived and made a lien as aforesaid.

A. D. 1885.

Decree of revival a lien.

Transcripts.

4. This Section shall not be construed so as to make final judgments in any case a lien on the real property of the judgment debtor exempt from attachment, levy and sale by the Constitution.

Not a lien on property exempt.

5. Nothing herein contained shall be construed to affect the lien of judgments or executions entered prior to the 1st day of March, A. D. 1870.

Not to apply to judgments prior to 1870.

SEC. 3. That Section 311 be, and the same is hereby, amended by striking out subdivision 1, and substituting therefor a new subdivision to be known as subdivision 1, which shall read as follows:

Code, §311, amended.

SECTION 311.—1. Executions may issue upon final judgments or decrees at any time within ten years from the date of the original entry thereof, or within ten years from the date of any revival of the same, and shall have active energy during said periods respectively without any renewal or renewals thereof, and thus whether any return or returns may or may not have been made during such periods respectively in said executions: *Provided*, The execution shall not issue or be renewed in any case after the lapse of twenty years from the date of original entry of the judgment. Executions shall not bind the personal property of the debtor, but personal property shall only be bound by actual attachment or levy thereon for the period of four months from the date of such levy. When judgment shall have been rendered in a Court of a Trial Justice, or other inferior Court, and docketed in the office of the Clerk of the Circuit Court, the application for leave to issue execution must be to the Circuit Court of the County where the judgment was rendered.

When executions may issue.

But not after 20 years.

Not to bind personal property except after levy, for 4 months.

Leave to issue execution on Trial Justice's judgment.

SEC. 4. Nothing herein shall be construed to prevent an action upon a judgment after the lapse of twenty years from the date

Action on judgments.

A. D. 1885. of the original entry thereof, and a recovery thereon, in case it
 Pending suits. shall be established by competent and sufficient evidence that
 said judgment, or some part thereof, remains unsatisfied and
 due: *Provided*, That nothing herein contained shall be con-
 strued as prejudicing any action now pending.

Repealing SEC. 5. That all Acts and parts of Acts inconsistent with the
 clause. provisions of this Act be, and the same are hereby, repealed.

In the Senate House, the twenty-fourth day of December, in
 the year of our Lord one thousand eight hundred and eighty-
 five.

J. C. SHEPPARD,
 President of the Senate.
 JAMES SIMONS,
 Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
 Governor.

No. 125. AN ACT TO REFUND CERTAIN AMOUNTS TO DANIEL HEYWARD.

To be refunded \$1,498.04, paid to the U. S. Government.

Preambles *Whereas*, William F. Colcock, acting as Collector of the Port
 of Charleston, did, under and in obedience to the requirements
 of an Ordinance of the Convention of the People of this State,
 passed 26 December, 1860, pay into the Treasury of the State
 the sum of \$28,000, for duties collected by him as such Col-
 lector, which amount was duly received by the State; *and*
whereas, thereafter suit was brought by the United States Gov-
 ernment against the said Wm. F. Colcock and his surety, Dan-
 iel Heyward, on his official bond as such Collector, to recover
 the amount so paid by him as aforesaid, and judgment was had
 thereon for the sum of \$1,498.04, which amount was duly paid
 by the said Daniel Heyward, as surety, to the Government of
 the United States, on 3d day May, 1875, in satisfaction of said
 judgment:

Be it enacted by the Senate and House of Representatives
 of the State of South Carolina, now met and sitting in
 General Assembly, and by the authority of the same, That
 the State Treasurer be, and he is hereby, authorized and
 directed to pay and refund to the said Daniel Heyward the

To be refund-
 ed \$1,498.04
 paid to U. S.
 Government.

said sum of fourteen hundred and ninety-eight 04-100 (\$1,498.04) dollars out of any money in the Treasury of the State not otherwise appropriated, said amount to be paid on the warrant of the Comptroller General, to be issued upon the application of the said Daniel Heyward.

A. D. 1885.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO INCORPORATE THE BERKELEY COUNTY LAND AND STOCK COMPANY. No. 126.

SEC. 1.—Incorporation. Name. Property rights. Purposes.
SEC. 2.—Powers.
SEC. 3.—Capital stock. Shares.
SEC. 4.—Liability of Directors.
SEC. 5.—Meetings. President and Directors.
SEC. 6.—Duration.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Samuel Langley, P. G. Langley, J. H. C. Weller, A. C. F. Goetzen, and such other persons as now are or may hereafter be associated with them, their successors and assigns, be, and they are hereby, constituted a body politic and corporate, by the name and style of "The Berkeley County Land and Stock Company," by which name and style they are hereby made capable in law to have, hold, purchase, receive, work, sell, mortgage, lease, enjoy and retain to them, their successors and assigns, lands, tenements, mines of all characters, and chattels, cattle, sheep, hogs, and stock, of whatever kinds, as may be deemed by them most conducive to the objects and interest of said corporation, which is breeding and raising stock and selling the same.

Incorporation.

Name.

Property rights.

Purposes.

- A. D. 1885.**
Powers. SEC. 2. That said corporation by its title aforesaid may sue and be sued, plead and be impleaded, in any Court of this State; make and use a common seal, altering the same at pleasure; establish, alter and amend such by-laws and regulations as shall be deemed proper by them, not in conflict with the Constitution and laws of this State or the United States.
- Capital stock.** SEC. 3. That the capital stock of said corporation shall be ten thousand dollars, with the right to increase the same by a vote of a majority of the Directors to any sum not exceeding one hundred thousand dollars, the same to be divided into such
- Shares.** number of shares as said corporation may determine, said shares to be assignable and negotiable under such rules as said corporation may prescribe.
- Liability of stockholders.** SEC. 4. Each stockholder in said company shall be jointly and severally liable to the creditors thereof in an amount, besides the value of his share or shares therein, not exceeding five (5) per cent. of the par value of the share or shares held by him at the time the demand of the creditor was made: *Provided*, That such demand shall have been payable within one year: *Provided, also*, That proceeding to hold such stockholder liable therefor shall be commenced within two years after such debt may have become due, and whilst he remains a stockholder therein, or within two years after he shall have ceased to be such stockholder.
- Provisoos.**
- Meetings to elect President and Directors.** SEC. 5. That there shall be an annual meeting of the stockholders at such time and place as the Directors may designate, for the purpose of choosing a President and four Directors, each of whom shall be a stockholder of said corporation, to manage its affairs.
- Duration.** SEC. 6. That this Act shall continue in force for twenty-one years.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
 President of the Senate.
 JAMES SIMONS,
 Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
 Governor.

AN ACT TO REPEAL SECTION 821 OF THE GENERAL STATUTES,
RELATING TO TRIAL JUSTICES IN THE COUNTY OF SPARTAN-
BURG, AND PROVIDING A SUBSTITUTE THEREFOR.

A. D. 1885,
No. 127.

Trial Justice and his Constable in Spartanburg City.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section eight hundred and twenty-one of the General Statutes of said State be, and the same is hereby, repealed, and the following substituted therefor, to be known as Section 821 : Substitution
of Section 821,
Gen. Stat.

SECTION 821. One Trial Justice shall be appointed for the City of Spartanburg from among the Justices allowed for the County of Spartanburg, who shall reside in said city and keep his office there. Said Trial Justice shall receive a salary at the rate of two hundred and fifty dollars per annum in lieu of all other charges against the County, payable quarterly by the County Treasurer out of County funds ; and all costs taxed and recovered, and all fines recovered, in criminal cases in the Courts of Trial Justices, shall be forthwith paid over to the Treasurer of the said County. And the Trial Justices shall report quarterly to the County Commissioners all fees, fines and costs recovered by them during said quarter. Said Trial Justice for the City of Spartanburg shall be allowed one Constable, who shall receive all fees and costs allowed by law for services by him rendered as such Constable. New Section.
Trial Justice in
Spartanburg
City.

Salary.

Costs and fines
to be turned
over.

One Constable,
his compensation.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.
 No. 128.

AN ACT TO AUTHORIZE THE GOVERNOR TO PAY FRANK DELOACH, OF HAMPTON COUNTY, THE REWARD OFFERED FOR THE CAPTURE OF JOE GIBSON, OUT OF HIS CONTINGENT FUND.

To pay fifty dollars for the arrest of a murderer.

Governor to
 pay \$50.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Governor be, and he is hereby, authorized to pay Frank DeLoach, of Hampton County, the reward offered by him for the capture of Joe Gibson, charged with the murder of Seaborn Drayton, out of the Governor's contingent fund, to wit, the sum of fifty dollars.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
 President of the Senate.
 JAMES SIMONS,
 Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
 Governor.

No. 129. AN ACT TO AMEND SECTION 1019 OF THE GENERAL STATUTES, SO AS TO CHANGE THE TIME OF CLOSING THE SCHOOL ACCOUNTS OF THE SCHOOL DISTRICTS OF A COUNTY.

SEC. 1.—Time for making report on school claims.
 SEC. 2.—Repealing clause.

Gen. Stat. §1019,
 § 3, amended.

Sec 18 Stat.
 536.

Reports on
 school claims.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That subdivision three of Section 1019 of the General Statutes be amended by striking out the words "on the thirteenth day of April" in the first and second lines of the said subdivision, and inserting in lieu thereof the words "on or before the first day of February." So that the said subdivision, as amended, shall read: "It shall be the duty of the County School Commis-

sioners, on or before the first day of February in each year, to report to the County Treasurer a statement of all school claims by him approved for the fiscal year last preceding; and the County Treasurer shall thereupon close the school accounts for that year, carrying over any balance to the credit of the then current fiscal year: *Provided*, Nothing herein contained shall in any way repeal, conflict with or modify the provisions of Section 40 of an Act entitled "An Act to alter and amend the School Law of South Carolina," approved March 22d, 1878, (Section 1014.)

A. D. 1885.

Duties of Treasurer.

Proviso.

16 Stat. 582.

SEC. 2. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Repealing clause.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO CHARTER No. 130. THE GREENVILLE AND PORT ROYAL RAILROAD COMPANY."

SEC. 1.—Section 1 of A. A. 1882 amended by changing name.

SEC. 2.—Section 2, as to route of road, amended.

SEC. 3.—Section 3 amended by adding the office of Vice President.

SEC. 4.—Section 6 amended, as to expenditure of corporate subscriptions.

SEC. 5.—Exception of Greenwood Township and Aiken County.

SEC. 6.—Section 9 amended by incorporating Counties and Townships.

SEC. 7.—Section 11 amended, as to right to construct branch roads.

SEC. 8.—Section 13, special provisions as to Greenville.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to charter the Greenville and Port Royal Railroad Company" be, and the same is hereby, amended by striking out, in the first (1st) Section of said Act, on the ninth line, the words "Greenville and Port Royal Railroad"

A. A. 1882, § 1,
18 Stat. 214,
amended.

A. D. 1885.	and inserting in lieu thereof the words "Atlantic, Greenville and Western Railway." So that the Section as amended shall read as follows :
Name changed.	
Section as amended. Incorporation.	SECTION 1. That M. F. Ansel, A. B. Williams, James McCullough, T. R. L. Wood, Cullen Lark, J. H. Rice, C. C. Law, W. S. Allen, J. D. Eidson, T. R. Denny, T. G. Croft, T. J. Davis, and such other persons and corporations as may be associated with them, and their successors and assigns, be, and they are hereby, created a body politic and corporate, by the name and style of the Atlantic, Greenville and Western Railway Company, and by that name sue and be sued, plead and be impleaded, answer and be answered unto, in any Court of Law or Equity in this State or the United States; may make by-laws and appoint all necessary officers and prescribe their duties; and may accept, purchase, hold and convey any property, either real or personal, necessary for the purposes hereinafter mentioned; may make contracts, have and use a common seal, and do all other lawful acts properly incident to and connected with said corporation and necessary for the control and transaction of its business: <i>Provided</i> , That their by-laws be not repugnant to the Constitution and laws of this State or the United States.
Name.	
Powers.	
Section 2, 18 Stat. 215, amended.	SEC. 2. That Section 2 of said Act be, and the same is hereby, amended by striking out all after the word "railroad," on the second (2d) line of said Section, and inserting the words "from Greenville to Ninety-Six, with the privilege of extending Eastward from Ninety-Six to some point on the Atlantic coast, and Westward from Greenville to the North Carolina State line, by such route as the Board of Directors have and may hereafter determine upon." So that the said Section as amended shall
Section as amended.	read as follows: SECTION 2. That the said company be, and it is hereby, authorized and empowered to construct, operate and maintain a railroad from Greenville to Ninety-Six, with the privilege of extending Eastward from Ninety-Six to some point on the Atlantic coast, and Westward from Greenville to the North Carolina State line, by such route as the Board of Directors have and may hereafter determine upon.
Route of road.	
Section 3, 18 Stat. 215, amended.	SEC. 3. That Section 3 of said Act be, and the same is hereby, amended by inserting after the word "President," wherever it occurs in said Section, the words "Vice President." So that the said Section as amended shall read as follows :
Section as amended.	SECTION 3. That the capital stock of said company shall be one million of dollars, in shares of one hundred dollars each,

with the privilege of increasing the capital stock to such amount as may be necessary to carry out the intention and purposes of this Act, said amount not to exceed three million of dollars, and the shares may be transferable in such manner as the by-laws may direct: *Provided*, That when the sum of fifty thousand dollars shall have been subscribed to the capital stock of said company, as hereinafter directed, the said corporators, or a majority of them, shall, within a reasonable time thereafter, appoint a time and place for the meeting of said stockholders, of which thirty days' notice shall be given in such newspapers of the State as said corporators may deem necessary, at which time and place said stockholders may proceed to the organization of said company by the election of a President, Vice President and nine Directors, who shall hold their office for one year and until their successors are elected, which shall be the first Board of Directors, and which Board may in their by-laws prescribe the time and manner of holding their subsequent annual elections for President, Vice President and Directors, subject to the approval of the stockholders at their ensuing annual meeting.

A. D. 1885.
Capital stock.

Organization.

President.
Vice President and Directors.

SEC. 4. That Section 6 of said Act be, and the same is hereby, amended by striking out the first provision, commencing on the fourteenth (14th) line and ending on the seventeenth (17th) line, and inserting in lieu thereof the words: "*Provided*, That a sufficient amount realized from such bonds shall be retained to complete the grading through the County or Township in which it is subscribed." So that the said Section as amended shall read as follows:

Section 6.
18 Stat. 216,
amended.

SECTION 6. That in addition to the provisions contained in the preceding Section for private subscription, it shall and may be lawful for any city, town, County or Township interested in the construction of said road to subscribe to its capital stock such sum as a majority of their voters voting at an election held for that purpose may authorize the County Commissioners or proper authorities of such city, town, County or Township to subscribe, which subscription shall be made in seven per cent. coupon bonds, payable in such installments as the County Commissioners or proper authorities of such city, town, County or Township shall determine, and to be received by said company at par; said bonds to be made payable in (16) sixteen, (20) twenty, (24) twenty-four and (28) twenty-eight years after the date thereof, and to be of the denomination of one hundred dollars, five hun-

Section as amended.

Corporation subscriptions.
Bonds.

Description of bonds.

- A. D. 1885.**
 Where ex-
 pended. dred dollars and in one thousand dollars: *Provided*, That a sufficient amount realized from such bonds shall be retained to complete the grading through the County or Township in which it is subscribed: *Provided*, That no election shall be held in any of the towns, cities or Townships in the said Counties unless one-half of the owners of real estate situate and living in such town, city or Township shall first petition for an election on the subject of subscribing to the capital stock, as hereinbefore provided; and no subscription shall be made by any of the towns, cities or Townships until the conditions of this proviso shall have been complied with.
- Petition a prerequisite.**
 SEC. 5. The provisions of this Act, so far as they authorize subscriptions by the Townships along the route of said railroad, shall not apply to Greenwood Township, in Abbeville County, or to the County of Aiken, or any town or Township therein.
- Greenwood Township and Aiken County excepted.**
 SEC. 6. That Section 9 of said Act be, and the same is hereby, amended by adding to said Section the words: "That for the purposes of this Act all the Counties, and the Townships in said Counties, along the line of said railroad, or which are interested in the construction as herein provided for, shall be, and they are hereby declared to be, bodies politic and corporate, and vested with the necessary powers to carry out the provisions of this Act; and shall have all the rights and be subject to all the liabilities in respect to any rights or causes of action growing out of the provisions of this Act. The County Commissioners of the respective Counties are declared to be the corporate agents of the Counties or Townships so incorporated and situate within the limits of the said Counties." So that said Section as amended shall read as follows:
- Section 9, 18 Stat. 217, amended.**
 SECTION 9. That for the payment of the interest on such bonds as may be issued by said Counties, cities, towns or Townships, the County Auditor, or other officer discharging such duties, or the City or Town Treasurer, as the case may be, shall be authorized and required to assess annually upon the property of said city, town, County or Township such per centum as may be necessary to pay said interest of said sum of money subscribed, which shall be known and styled in the tax book as said railroad tax, which shall be collected by the Treasurer under the same regulations as are provided by law for the collection of taxes in any of the Counties, cities, towns or Townships so subscribing, and which shall be paid over by the said Treasurer to the holders of said bonds, as the said interest shall become due. on presentation of the coupons, which said coupons shall be
- Section as amended.**
 SECTION 9. That for the payment of the interest on such bonds as may be issued by said Counties, cities, towns or Townships, the County Auditor, or other officer discharging such duties, or the City or Town Treasurer, as the case may be, shall be authorized and required to assess annually upon the property of said city, town, County or Township such per centum as may be necessary to pay said interest of said sum of money subscribed, which shall be known and styled in the tax book as said railroad tax, which shall be collected by the Treasurer under the same regulations as are provided by law for the collection of taxes in any of the Counties, cities, towns or Townships so subscribing, and which shall be paid over by the said Treasurer to the holders of said bonds, as the said interest shall become due. on presentation of the coupons, which said coupons shall be
- Assessment of R. R. tax.**
 SECTION 9. That for the payment of the interest on such bonds as may be issued by said Counties, cities, towns or Townships, the County Auditor, or other officer discharging such duties, or the City or Town Treasurer, as the case may be, shall be authorized and required to assess annually upon the property of said city, town, County or Township such per centum as may be necessary to pay said interest of said sum of money subscribed, which shall be known and styled in the tax book as said railroad tax, which shall be collected by the Treasurer under the same regulations as are provided by law for the collection of taxes in any of the Counties, cities, towns or Townships so subscribing, and which shall be paid over by the said Treasurer to the holders of said bonds, as the said interest shall become due. on presentation of the coupons, which said coupons shall be
- Collection.**
 SECTION 9. That for the payment of the interest on such bonds as may be issued by said Counties, cities, towns or Townships, the County Auditor, or other officer discharging such duties, or the City or Town Treasurer, as the case may be, shall be authorized and required to assess annually upon the property of said city, town, County or Township such per centum as may be necessary to pay said interest of said sum of money subscribed, which shall be known and styled in the tax book as said railroad tax, which shall be collected by the Treasurer under the same regulations as are provided by law for the collection of taxes in any of the Counties, cities, towns or Townships so subscribing, and which shall be paid over by the said Treasurer to the holders of said bonds, as the said interest shall become due. on presentation of the coupons, which said coupons shall be
- To be paid over.**
 SECTION 9. That for the payment of the interest on such bonds as may be issued by said Counties, cities, towns or Townships, the County Auditor, or other officer discharging such duties, or the City or Town Treasurer, as the case may be, shall be authorized and required to assess annually upon the property of said city, town, County or Township such per centum as may be necessary to pay said interest of said sum of money subscribed, which shall be known and styled in the tax book as said railroad tax, which shall be collected by the Treasurer under the same regulations as are provided by law for the collection of taxes in any of the Counties, cities, towns or Townships so subscribing, and which shall be paid over by the said Treasurer to the holders of said bonds, as the said interest shall become due. on presentation of the coupons, which said coupons shall be

reported to the County Commissioners by the said Treasurer or to the Council of any city or town where there are coupons from bonds of such city or town, and all said coupons shall be canceled by the County Treasurers as soon as they are paid by them. That for the purpose of this Act, all the Counties, and the Townships in said Counties, along the line of said railroad, or which are interested in the construction as herein provided for, shall be, and they are hereby declared to be, bodies politic and corporate, and vested with the necessary powers to carry out the provisions of this Act; and shall have all the rights and be subject to all the liabilities in respect to any rights or causes of action growing out of the provisions of this Act. The County Commissioners of the respective Counties are declared to be the corporate agents of the Counties or Townships so incorporated and situate within the limits of the said Counties.

A. D. 1885.

Report on and
cancellation of
coupons.Bodies corpo-
rate.Agents of
Counties and
Townships.

SEC. 7. That Section 11 of said Act be, and the same is hereby, amended by adding to said Section the words: "And to construct branch lines in such directions and to such points as the Directors may deem advisable." So that said Section as amended shall read as follows:

Section 11.
18 Stat. 218,
amended.

SECTION 11. That said company is authorized to purchase, lease or consolidate with any railroad company now existing, or which may hereafter exist under the laws of this State, or any other State, with which its line may connect, and to construct branch lines in such directions and to such points as the Directors may deem advisable.

Rights as to
other roads.

Branches.

SEC. 8. That Section 13 of said Act shall be, and the same is hereby, stricken out. That if any of the Townships in Greenville County shall subscribe to the capital stock of the said Atlantic, Greenville and Western Railroad Company, and the County of Greenville should afterwards subscribe to the said road, then said Townships shall not be liable to any part of the subscription of the County, nor shall they be taxed to pay any part of the principal or interest on the subscription of the County.

Section 13,
18 Stat. 218,
repealed.Special pro-
visions as to
Townships in
Greenville
County.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

A. D. 1885. **AN ACT TO AMEND SECTION 307 OF THE GENERAL STATUTES
OF THIS STATE, RELATING TO THE SINKING FUND COMMISSION.**
No. 131.

SEC. 1.—Section 307, General Statutes, amended, removing restriction on price.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 307 of the General Statutes of this State be, and the same is hereby, amended by striking out the first proviso thereof. So that said Section as amended shall read as follows :

Gen. Stat.
§ 307, amended.
See ante p. 87.

Section as
amended.

Forfeited lands
to be sold.

Right of re-
demption.

SECTION 307. All lands now or hereafter upon the forfeited land record which have been offered for sale under Section 292, and which have not been sold for want of bidders, nor redeemed as provided by law, shall be treated as assets of the State in charge of the Sinking Fund Commission, and by them sold at such time and after such advertisement, upon such terms as they may deem most advantageous to the State: *Provided*, That any time before such sale shall be actually made, the owners of any piece or parcel of such lands, or those claiming under or through such owners, or others having a legal and equitable interest therein, shall have the right to redeem any piece or parcel of the lands so forfeited, by paying in gold, silver, United States Treasury notes, or National Bank notes, the full amount of all accumulated taxes, costs and penalties, due and unpaid thereon, up to the date of such payment.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO REQUIRE THE COUNTY COMMISSIONERS OF HORRY AND GEORGETOWN COUNTIES TO OPEN AND KEEP OPEN A CERTAIN HIGHWAY BETWEEN MARLOW'S POSTOFFICE, IN HORRY COUNTY, AND THE METHODIST PARSONAGE, IN GEORGETOWN COUNTY.

A. D. 1885.

No. 132.

SEC. 1.—Road to be opened. Route,

SEC. 2.—Road and bridges thereon to be kept in repair.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Horry and Georgetown Counties be, and they are hereby, authorized and required to open according to law, and keep open, a public highway as follows: Beginning at Marlow's Postoffice, in Horry County, in as direct a line as may be practicable to Bethel Church, thence to a point in Georgetown County known as the Methodist Parsonage, at the Belin seashore place, along the line of a neighborhood road there being.

Road to be opened.

SEC. 2. That the said County Commissioners of Horry and Georgetown Counties be, and they are hereby, authorized and directed to keep in repair the said road and the bridges upon the same within the limits of their respective Counties in the manner now required by law for the maintenance of the public highways within the said Counties.

Road and bridges to be kept in repair.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.

JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.
 No. 133.

AN ACT TO REGULATE THE COMPENSATION OF COUNTY AUDITORS, AND TO REPEAL AN ACT, APPROVED DECEMBER 26TH, 1884, ENTITLED "AN ACT TO AMEND SECTION 1 OF AN ACT ENTITLED 'AN ACT TO AMEND SECTION 254 AND SECTION 274 OF THE GENERAL STATUTES, IN RELATION TO THE COMPENSATION OF COUNTY AUDITORS AND COUNTY TREASURERS,' AS FAR AS THE SAME RELATES TO SPARTANBURG COUNTY, APPROVED DECEMBER 24TH, 1883," IN RELATION TO THE SAME SUBJECT.

SEC. 1.—Salaries and compensation of County Auditors.

SEC. 2.—Repeal of A. A. 1884.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the County Auditors of the several Counties shall receive from the State Treasurer the annual salaries hereinafter mentioned, respectively: The County Auditor of Charleston, two thousand dollars; the County Auditors of Berkeley, Spartanburg and Richland, each, eight hundred dollars: *Provided*, That no additional compensation shall be allowed for clerk hire; the County Auditors of Abbeville, Aiken, Anderson, Edgefield, Barnwell, Beaufort, Marion and York, seven hundred dollars each; the County Auditors of Chester, Colleton, Darlington, Fairfield, Greenville, Laurens, Newberry, Orangeburg and Sumter, six hundred dollars each; the County Auditors of Chesterfield, Clarendon, Georgetown, Hampton, Horry, Kershaw, Lancaster, Lexington, Marlboro, Oconee, Pickens, Union and Williamsburg, five hundred dollars each: *When to be paid.* *Provided*, That the Comptroller General shall not issue to any County Auditor any warrant for salary until said Auditor shall file in the office of the Comptroller General all abstracts and reports due by such Auditor; and in addition to the salaries of the Auditors, as is hereinbefore provided, the County Auditors shall receive from the funds of their respective Counties additional compensation, as follows: The Auditor of Charleston, twelve hundred dollars; the Auditors of Berkeley and Richland, eight hundred dollars each; the Auditors of Abbeville, Georgetown, Williamsburg, Beaufort, Barnwell, Spartanburg, York and Colleton, five hundred dollars each; the Auditors of Aiken, Anderson, Chester, Darlington, Edgefield, Fairfield, Greenville, Hampton, Laurens, Newberry, Orangeburg

and Sumter, four hundred dollars each ; the Auditors of Clarendon, Horry, Kershaw, Lancaster, Lexington, Marion, Marlboro, Pickens, Oconee, Union and Chesterfield, three hundred dollars each. And the County Commissioners of the several Counties, as aforesaid, shall, upon the application of the County Auditors, draw their checks upon the County Treasurers for the several amounts to which the Auditors may be entitled from the funds of their respective Counties, as hereinbefore provided, and the County Treasurers shall pay the said checks from the first collection of County funds of the current fiscal year : *Provided*, That no member of the Board of County Commissioners shall act as Assistant Assessor in the County of Charleston.

A. D. 1885.

How paid.

Proviso.

SEC. 2. That an Act entitled "An Act to amend Section 1 of an Act entitled 'An Act to amend Section 252 and Section 274 of the General Statutes, in relation to the compensation of County Auditors and County Treasurers,' as far as the same relates to Spartanburg County, approved December 24th, 1883," which Act was approved December 26th, A. D. 1884, be, and the same is hereby, repealed.

A. A. 1884, 18 Stat. 863, repealed.

18 Stat. 582.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885. AN ACT TO INCORPORATE THE "MOUNT PLEASANT AND
 No. 134. SEAVIEW CITY RAILWAY COMPANY."

- SEC. 1.—Route of road. Incorporation. Name.
 SEC. 2.—Officers and members. Seal.
 SEC. 3.—Property rights. Powers.
 SEC. 4.—Commissioners to receive subscriptions.
 SEC. 5.—Capital stock. Subscriptions.
 SEC. 6.—Organisation.
 SEC. 7.—Road and branches. Ferry. Bridges.
 SEC. 8.—Vessels.
 SEC. 9.—Rights as to other roads.
 SEC. 10.—Lands and right of way.
 SEC. 11.—Grant of land on the island. Seaview City.
 SEC. 12.—Subscription by Mount Pleasant.
 SEC. 13.—Bonds and mortgages of the company.
 SEC. 14.—Liability of stockholders.
 SEC. 15.—Public Act. Duration.
 SEC. 16.—Repealing clause.

- SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
- Route of road. the several persons who shall or may associate together as hereinafter prescribed, for the purpose of establishing a railroad from some point in Christ Church Parish, County of Berkeley, opposite to or near the City of Charleston, passing through the Towns of Mount Pleasant and Moultrieville to the Eastern end of Sullivan's Island, and connecting the same with the City of Charleston by a ferry or a bridge, and their successors, shall be,
- Incorporation. and are hereby, incorporated as a body politic and corporate, by
- Name. the name of "Mount Pleasant and Seaview City Railroad Company."
- Officers and members. SEC. 2. That the said corporation, by their name aforesaid, shall have perpetual succession of officers and members, to be appointed according to the by-laws and regulations that may be established for the government of the said corporation, and they
- Seal. may have a common seal, with the power to break, alter and make new the same, as often as they may deem expedient.
- Property rights. SEC. 3. That the said corporation shall be able and capable in law to purchase, have, hold, take, receive, possess, retain and enjoy to itself in perpetuity, or for any term of years, any estate, real or personal, of whatsoever kind or nature, and to sell, alien or dispose of the same as they may think proper; and by the
- Powers. name aforesaid to sue and be sued, to plead and be impleaded, answer and be answered unto, in any Court of Law or Equity, and to make such rules and by-laws, not repugnant nor contrary

to the laws of the land, as for the good management of the said corporation may by the same be thought necessary or expedient. A. D. 1885.

SEC. 4. That Robert C. Gilchrist, William P. Fleming, Robert J. Magill, William Hunt, Charles E. Carrere, Frederic Miller, or any three of them, are appointed commissioners, who by themselves, or by an agent appointed by them in writing, are authorized to receive subscriptions to the capital stock of the said corporation, for which purpose they shall meet as soon after the ratification of this Act as they shall think proper, in the City of Charleston, and there receive the subscriptions of all such persons as shall be desirous of subscribing and associating for the purpose of becoming members of the corporation. Commissioners to receive subscriptions.

SEC. 5. That the capital stock of the said company shall be two hundred thousand dollars in shares of fifty dollars each, with the privilege of increasing the said capital stock to such an amount as may be found necessary to carry out the intention and purposes of this Act, not to exceed five hundred thousand dollars, and that shares shall be personal property, transferable in such manner as the by-laws may direct. Subscriptions to the capital stock to be made in money, land, material or labor, or such other valuable equivalent as the said corporation may determine to receive. Capital stock
Subscriptions.

SEC. 6. That on each share of the stock subscribed, the subscriber shall pay to the said commissioners, at the time of subscription, five per cent. thereof in good and lawful money of the United States, the said commissioners giving a receipt for the same; and whenever the sum of five thousand dollars shall be subscribed as aforesaid, the said commissioners shall, at the earliest time advisable thereafter, appoint a day of meeting in the City of Charleston, for the purpose of organizing the company, of which due notice shall be given to the subscribers in writing by the said commissioners, at least five days prior to the day of meeting; at which meeting, or at some adjournment thereof, called for the purpose of organization, the organization shall be effected substantially as follows, viz.: By the adoption of a resolution accepting this charter. 2d. By adopting by-laws for the government of the officers and of the corporation. 3d. By electing a Board of Directors. Should any irregularities occur in effecting said organization, the stockholders may correct the same at any meeting called for the purpose, due notice as above to be given of the same. First installment.
Meeting for organization.
Mode of organizing.

A. D. 1885.

Gauge and
character of
road.

Route.

Bridge over
the cove.

Ferry.

Branch road.

Bridge over
Cooper River.

Vessels.

Rights as to
other roads.Lands and
right of way.

SEC. 7. That the said company be, and is hereby, authorized and empowered to construct, maintain and operate a railroad, broad, standard or narrow gauge, operated by steam, mule or horse power, from Hog Island, in the harbor of Charleston, or from the Western extremity of the Town of Mount Pleasant, in the County of Berkeley, either or both, as may seem to the said company most expedient, through any portion of Christ Church Parish, crossing the cove to Sullivan's Island over a bridge having a draw with an opening not less than twenty-two feet, and running through the Town of Moultrieville to that portion of Sullivan's Island designated as "Seaview City," by such route as shall by the said company be found most suitable and advantageous. It shall be lawful for the said company to establish and maintain a ferry from the said Hog Island, or Mount Pleasant, to the City of Charleston, when the said railroad is graded from either point through the Town of Mount Pleasant, and a bridge is built connecting it with the Town of Moultrieville. The said company is authorized and empowered to build and operate a branch road to "Remley's Point," and also, in lieu of or in addition to the ferry aforesaid, whenever they deem it advisable so to do, to construct and maintain a bridge across Cooper River, connecting Hog Island and the City of Charleston: *Provided*, The said bridge is furnished with a suitable draw, so as not to be an obstruction to navigation of said river.

SEC. 8. That the said company may also own, lease or charter such steamers or vessels, or other water craft, as may be necessary to conduct a general freighting and passenger business, when and after the work is done as provided for in the preceding Section.

SEC. 9. That the said company shall have full power to connect with, or to cross, all other railroads on its proposed line, and also to unite or consolidate with other railroads forming a continuous line with its own, according to the provisions of Section six (6) to fourteen (14) inclusive, Chapter LXV, Revised Statutes.

SEC. 10. That for the purpose of acquiring such lands or rights of way as may be required for the location and construction of the said railroad, or for the erection or location of such depots, warehouses, wharves, ferry slips and other necessary establishments for extending or altering the same, the said company shall have every right, privilege and power granted by Title XII, Chapter XL, of the General Statutes of this State.

SEC. 11. That for the purpose of assisting the said company in the construction of the road, all the land on Sullivan's Island designated as "Seaview City" in an Act entitled "An Act to incorporate the Town of Seaview City, in the County of Charleston," approved December 20th, 1881, commencing at the third street East of Simons street, and extending East the entire width of the Island and to its East end to Breach Inlet, separating Sullivan's Island from Long Island, is hereby granted and made over in fee simple to the said company on and after the expiration of the grant of the same land to the Charleston and Sullivan's Island Railroad Company: *Provided*, The said Charleston and Sullivan's Island Railroad Company does not complete its railroad, according to the terms of its charter, on or before the twenty-third day of December, 1885: *Provided, also*, That the grant of land herein contained shall be null and void if the sum of twenty thousand dollars be not subscribed and five thousand dollars of the same paid in and work be commenced on the said railroad within twelve months after the ratification of this Act, and, also, if the said railroad shall not be completed and in operation through the Town of Mount Pleasant and a bridge built connecting the Towns of Mount Pleasant and Moultrieville, as described in the seventh Section of this Act, on or before the first day of May which will be in the year one thousand eight hundred and eighty-nine; and on the completion of the road and bridge as aforesaid, the title to the said land shall vest in fee simple in the said company, and the Town of Seaview City shall be incorporated, according to the provisions of the first Section of the Act entitled "An Act to incorporate the Town of 'Seaview City,' in the County of Charleston," approved December 20th, 1881, as if the conditions and provisos therein contained had been fully complied with.

SEC. 12. That it shall be lawful for the Town of Mount Pleasant to subscribe to the capital stock of the said company such sum as the qualified voters shall determine upon at an election to be ordered by the Town Council of the said town: *Provided*, Said company shall be willing to receive such subscription. The subscription to be made in seven per cent. coupon bonds of the denomination of one hundred, five hundred and one thousand dollars, payable in twenty years, the interest thereon to be raised annually by taxation, and the coupons of all such bonds shall be receivable for taxes and other dues to the municipality. That at all meetings of the stockholders of said company, the

A. D. 1885.

Grant of land
on Sullivan's
Island.
17 Stat. 632.

Provisoes.

Title to vest
on completion
of road.

Incorporation
of Seaview
City.

Subscription
by Mt. Pleas-
ant.

Proviso.

Description of
bonds.

- A. D. 1885.** Town of Mt. Pleasant shall be represented by such party as shall be selected by its Town Council, to exercise all the rights, powers and privileges of a stockholder in said company. **The** bonds issued by the Town of Mt. Pleasant, as aforesaid, **to be** received by the said company at par in subscription for **their** stock; and the said railroad company is hereby authorized **and** empowered to negotiate the said bonds upon such terms as **may** be deemed by it most advantageous.
- Representa-
tion of its
stock.** **Bonds to be
received at
par.** **SEC. 13.** That the said company is hereby authorized **and** empowered to issue coupon bonds, to be secured by a mortgage or other lien on said road, together with its franchises, property and effects, both real and personal, bearing interest not exceeding seven per cent. per annum, and payable at such time as **may** by the said company be deemed best for the interest of the same.
- Liability of
stockholders.** **SEC. 14.** Each stockholder in the said company shall be jointly and severally liable to the creditors thereof in an amount, beside the value of his share or shares therein, not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditors was created: *Provided*, That such demand shall have been payable within one year: *Provided, also*, That proceedings to hold such stockholder liable therefor shall be commenced whilst he remains a stockholder therein, or within two years after he shall have ceased to be such stockholder: *Provided, further*, That no person holding a share or shares as executor, administrator, trustee, or in any other fiduciary capacity, shall be liable thereon beyond the value of the estate held by him as such executor, administrator or trustee, or in any other fiduciary capacity.
- Provisoos.** **SEC. 15.** This Act shall be deemed a public Act, and shall take effect and be of full force on and after the 23d day of December, 1885, and shall continue in force thirty years thereafter.
- Trustees.** **SEC. 16.** All Acts and parts of Acts inconsistent with this Act are hereby repealed.
- Public Act.**
- Duration.**
- 'Repealing
clause.**

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

OF SOUTH CAROLINA.

251

AN ACT TO AUTHORIZE TRIAL JUSTICES TO ISSUE WARRANTS FOR SEARCH AND SEIZURE, AND FOR THE ARREST OF SUSPECTED PERSONS.

A. D. 1885.

No. 135.

SEC. 1.—Right to issue warrants.

SEC. 2.—When and in what cases.

SEC. 3.—And not otherwise.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Trial Justices shall have authority to issue warrants to make search or seizure in suspected places, and to arrest suspected persons and to seize their property.

May issue warrants.

SEC. 2. That such warrants shall issue only in cases of stolen goods, and must be supported by the oath or affirmation of the party applying for the same, which shall set forth fully and particularly all the facts upon which such application is based, and shall specially designate the suspected place or places, the object or objects of search or seizure, the name or names of the person or persons suspected, and who are to be arrested.

When and in what cases.

SEC. 3. That no such warrant shall issue except in the cases and with the formalities herein prescribed.

And not otherwise.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND THE CHARTER OF THE SOUTH CAROLINA RAILWAY COMPANY. No. 136.

May extend track to Cooper River. Proviso.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the South Carolina Railway Company, in addition to all the

A. D. 1885. rights, privileges and immunities to which it is now entitled
 May extend track to Cooper River. under its present charter, shall have authority to extend its
 Right of way. track from the present terminus of the said railroad in the City
 of Charleston down to the wharf property, commonly known as
 the Railroad Accommodation Wharf, situated on Cooper River,
 in the City of Charleston, and for the purpose of acquiring the
 right of way thereto shall be entitled to all the rights and privi-
 leges contained in Sections 1550 to 1561, both inclusive, of the
 General Statutes of this State: *Provided*, That said railway
 company shall in the laying of its track across or along any of
 the streets of said city, keep the same in proper repair and con-
 form to all the general ordinances of the City of Charleston
 relating to the running of trains across or along the public
 streets.

Proviso as to
streets and city
ordinances.

In the Senate House, the twenty-fourth day of December, in
 the year of our Lord one thousand eight hundred and eighty-
 five.

J. C. SHEPPARD,
 President of the Senate.
 JAMES SIMONS,
 Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
 Governor.

No. 137. AN ACT TO AMEND AN ACT ENTITLED "AN ACT AUTHORIZ-
 ING THE ELECTORS OF THE TOWN OF HAMBURG TO ELECT
 AN INTENDANT AND WARDENS AND PRESCRIBE THE COR-
 PORATE LIMITS OF SAID TOWN," APPROVED FEBRUARY 19,
 1880.

SEC. 1.—Amendment of town limits.

SEC. 2.—Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Repre-
 sentatives of the State of South Carolina, now met and sitting
 in General Assembly, and by the authority of the same, That
 Section 3 of an Act entitled "An Act authorizing the electors
 of the Town of Hamburg to elect an Intendant and Wardens
 and prescribe the corporate limits of said town" be amended by
 adding after the figures 1835 the following: to include the

A. A. 1880, § 3,
 17 Stat. 238,
 amended.

property known as the Brewery, now the property of Adam Nurnberger. So that said Section as amended shall read as follows: A. D. 1885.

“SECTION 3. That the corporate limits of the Town of Hamburg shall, and are hereby declared to, be confined within the limits of a plat of said town made by Thomas Anderson on the 23d day of February, 1835, to include the property known as the Brewery, now the property of Adam Nurnberger.” Section as amended.
Limits of town.

SEC. 2. That all Acts or parts of Acts conflicting with this Act be, and the same are hereby, repealed. Repealing clause.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND AN ACT ENTITLED “AN ACT TO AMEND AN ACT ENTITLED AN ACT TO PROVIDE FOR THE MORE SPEEDY DEVELOPMENT OF THE COLUMBIA CANAL.” No. 138.

Amendment as to appropriation to canal.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2 of an Act to amend an Act entitled “An Act to amend an Act to provide for the more speedy development of the Columbia Canal,” approved the 24th day of December, 1884, be, and the same is hereby, amended so as to read as follows, to wit: A. A. 1884, § 2,
18 Stat. 778,
amended.

SECTION 2. “That the said Board of Directors be, and they are hereby, authorized and directed to expend in the prosecution of said work during the year 1886 for the employment of skilled labor and engineers, and for the purchase of machinery and material and for other proper disbursements, fifteen thousand Section as amended.
Application out of net income.

A. D. 1885.

\$5,000 to be
advanced from
State Treas-
ury.

To be refund-
ed from the
income.

dollars out of the income of the Penitentiary over and above the amount necessary for the ordinary support and maintenance of said institution: *Provided*, If it be necessary in order to carry on said work the said Directors are hereby authorized to draw from the State Treasury five thousand dollars, to be refunded into the State Treasury out of the net income of the Penitentiary: *Provided*, That the said five thousand dollars so authorized to be drawn from the State Treasury shall form a part of the sum of fifteen thousand dollars hereby set apart out of the income of the Penitentiary for the use of the canal."

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

No. 139. AN ACT TO VEST IN THE INTENDANT OF THE TOWN OF CAMDEN, WITHIN THE TOWN OF CAMDEN, THE SAME POWERS AND AUTHORITIES IN CRIMINAL MATTERS WHICH NOW ARE, AND SHALL BE HEREAFTER, VESTED IN A TRIAL JUSTICE UNDER THE LAWS OF THIS STATE.

Powers of Trial Justice. Punishment of offenders.

Powers of
Trial Justice.

Punishment
of offenders.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Intendant of the Town of Camden, in said State, be, and he is hereby, vested with all the powers and authorities which now are, and shall be hereafter, vested in a Trial Justice under the laws of this State, as to criminal matters within the corporate limits of said town, for violation of the ordinances of said town only, and shall have full power and authority to hear and determine the charges made against all and every person or persons arrested and brought before him for a violation of any of the ordinances, or any breach of the peace, and shall be empowered to punish such person or persons, if found guilty of said charges, by fine, or

imprisonment in the town lockup or County Jail, or by both **fine** and imprisonment: *Provided*, That such fine shall not **exceed** the sum of one hundred dollars, or such imprisonment **the** term of thirty days.

A. D. 1885.
Limit thereto.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AUTHORIZE AND EMPOWER THE TOWN COUNCIL OF THE TOWN OF GEORGETOWN TO IMPOSE AND COLLECT LICENSES UPON PERSONS ENGAGED IN ANY CALLING, BUSINESS, TRADE OR PROFESSION WITHIN SAID TOWN. No. 140.

Power to require licenses. Exceptions.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the approval of this Act the Town Council of Georgetown be, and it is hereby, authorized and empowered to require the payment of such sum or sums of money, not exceeding two hundred dollars, for license or licenses, as in their judgment may be just and wise, by any person or persons engaged or intending to be engaged in any calling, business, trade or profession, in whole or in part, within the limits of the Town of Georgetown, except those engaged in the calling or profession of teachers of public or private schools and ministers of the Gospel.

Power to require licenses.

Exceptions.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.
 No. 141. AN ACT TO AUTHORIZE THE ADJUTANT AND INSPECTOR GENERAL TO LEND ARMS TO SCHOOLS OR COLLEGES THE PUPILS OF WHICH ARE INSTRUCTED IN MILITARY TACTICS.

SEC. 1.—Arms to be lent.

SEC. 2.—Bond for safe keeping.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Adjutant and Inspector General be, and he is hereby, authorized to lend to any school or college of this State where the pupils of said school or college are instructed in military tactics such arms and accoutrements as may not be needed for the use of the militia of the State.

Arms, &c., to be lent.

Bond for safe keeping.

SEC. 2. That the Adjutant and Inspector General shall require the teachers or trustees of such school or college to enter into a bond for the safe keeping and return of said arms and accoutrements before the same shall have been delivered to said schools or colleges as above provided.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

No. 142. AN ACT TO AMEND THE CHARTER OF THE STANDARD MANUFACTURING COMPANY.

Charter amended as to shares of stock.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to amend the charter of the Standard Manufacturing Company," approved December 24th, 1883, be, and the same is hereby, amended so as to read as follows:

A. A. 1883, § 2,
 18 Stat. 439,
 amended, as to
 shares of stock.

OF SOUTH CAROLINA.

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SECTION 2. That the capital stock of the said company shall consist of thirty thousand dollars in three hundred shares of one hundred dollars each: *Provided, however,* That a majority of the Board of Directors of the corporation shall have the power of increasing the said capital stock to any extent not exceeding two hundred thousand dollars, whenever they deem proper so to do; and the said corporation shall, by its by-laws, provide for the manner of raising and distributing such additional capital stock.

A. D. 1885.

Section 2 as amended.

Increase of capital stock.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO REGULATE THE OPENING AND CLOSING OF THE No. 143.
OFFICE OF THE JUDGE OF PROBATE FOR THE COUNTY OF
CHARLESTON.

Office hours regulated.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the Judge of Probate for the County of Charleston shall keep his office open from nine (9) o'clock A. M. to three (3) o'clock P. M. on each and every day of the year, Sundays and public holidays excepted.

Office hours.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885. **AN ACT TO RAISE SUPPLIES AND MAKE APPROPRIATIONS FOR
No. 144. THE FISCAL YEAR COMMENCING NOVEMBER 1, 1885.**

- SEC. 1.—General tax levy.
 SEC. 2.—Tax levies for the several Counties.
 SEC. 3.—Profits of Penitentiary to be paid into State Treasury.
 SEC. 4.—Deposit of State moneys.
 SEC. 5.—Auditors and Treasurers to collect. Penalties.
 SEC. 6.—Poll tax.
 SEC. 7.—In what funds payable.
 SEC. 8.—When payable.
 SEC. 9.—Notice by County Treasurers.
 SEC. 10.—Distress for non-payment. Sale.
 SEC. 11.—Personal property.
 SEC. 12.—Sale of delinquent real property. Cost of advertising.
 SEC. 13.—School tax.
 SEC. 14.—Mines and mining claims.
 SEC. 15.—Loans by State and Counties in advance of collections.
 SEC. 16.—To take effect immediately.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
 General tax a tax of five and one-fourth (5 $\frac{1}{4}$) mills, exclusive of the public
 levy. school tax hereinafter provided for, upon every dollar of the value of all taxable property of this State be, and the same is hereby, levied for the purpose of meeting appropriations to defray the current expenses of the Government for the fiscal year commencing November 1, 1885, and to meet such other indebtedness as has been or shall be provided for in the several Acts and Joint Resolutions passed by this General Assembly at the Regular Session of 1885 providing for the same.

Tax levy for the several Counties. SEC. 2. That a tax not to exceed three mills upon every dollar of the value of all taxable property in each of the Counties of this State be, and the same is hereby, levied for County purposes for the fiscal year commencing November 1, 1885.

Abbeville. Except in the County of Abbeville, where it shall be three and one-fourth mills; of which the proceeds of three mills shall be applied to ordinary County purposes; of which the proceeds of one-fourth of one mill shall be applied by the County Commissioners for repairing, improving and furnishing the Court House in accordance with the recommendations of the Grand Jury of said County, and the surplus, if any, to deficiencies.

Aiken. Except in the County of Aiken, where it shall be three mills; the proceeds of which shall be applied for ordinary County purposes and to pay interest due on the claim of J. G. Steadman, and for the payment of the following sums, to wit: J. W. Lupo,

the sum of fifty dollars; Joseph Ashley, the sum of sixty-six $\frac{64}{100}$ dollars; C. H. Ludekins & Son, the sum of seventy-nine $\frac{12}{100}$ dollars; John Marjenhoff, the sum of seventy-nine $\frac{12}{100}$ dollars; Schroeder & Thorpe, the sum of seventy-nine $\frac{12}{100}$ dollars; Frederick Alt, the sum of seventy-nine $\frac{12}{100}$ dollars; the same being the amount overpaid by them for the liquor license for year 1884, the Treasurer of Aiken County being hereby authorized to pay the same upon the warrant of the County Commissioners.

A. D. 1885.

Except in the County of Anderson, where it shall be three and one-fourth mills; of which the proceeds of two and three-fourth mills shall be applied for ordinary County purposes; of which the proceeds of one-eighth of one mill shall be applied to reindexing the books in the office of the Register of Mesne Conveyance; and of which the proceeds of three-eighths of one mill shall be applied to pay past indebtedness of the County.

Anderson.

Except in the County of Barnwell, where it shall be four and four-fifths mills for ordinary County purposes; of which the proceeds of one and three-fifths mills shall be held and applied exclusively to the payment of jurors' and witnesses' certificates, and any surplus thereof shall be carried over to the credit of the same account in the next succeeding fiscal year. That the sum of four hundred and eighty 23-100 dollars, now in the hands of the County Treasurer to the credit of account of past indebtedness, be applied to the payment of the deficiency of the fiscal year 1882-83.

Barnwell.

Except in the County of Beaufort, where it shall be five mills; of which the proceeds of three and three-fourths mills shall be applied to ordinary County purposes; of which the proceeds of one-fourth of one mill, and no more, shall be applied to the maintenance of roads and bridges; of which the proceeds of one-half of one mill shall be applied to pay the indebtedness of the old County of Beaufort as provided by law, one-half of one mill to be applied to the poor of the County; and of which the proceeds of one-half of one mill shall be applied to the payment of the past indebtedness of the County of Beaufort for the fiscal years commencing November, 1878, 1879, 1880, 1881, 1882, 1883 and 1884, respectively.

Beaufort.

Except in the County of Berkeley, where it shall be five and a half mills; of which the proceeds of two and three-fourths mills shall be applied for ordinary County purposes, and the sum of five hundred dollars thereof, if so much be necessary, be, and

Berkeley.

A. D. 1885.

18 Stat. 393.

the same is hereby, appropriated to defray one-half of the cost of building a bridge across Rantowle's Creek, as required by an Act entitled "An Act to authorize and require the County Commissioners of the Counties of Berkeley and Colleton to build a bridge across Rantowle's Creek," approved 22d December, 1883; of which the proceeds of one-fourth of one mill shall be applied to the payment of interest on bonds; of which the proceeds of one and three-fourths mills shall be applied for Court expenses; of which the proceeds of three-fourths of one mill shall be applied for Poor House and poor of County.

Charleston.

Except in the County of Charleston, in which, including the one-eighth of one mill for the permanent military tax fixed by law, it shall be two and one-fourth mills, the proceeds of three-fourths of one mill of which shall be set apart and kept separate by the County Treasurer for the payment of Court expenses, to wit: For dieting prisoners, pay of jurors and Constables in attendance on the Court, witnesses in State cases and accounts of the Clerk and Sheriff, and the County Treasurer, in each of his reports to the County Commissioners of funds in his hands, shall specify the amounts in his hands for Court expenses. The costs for confining and dieting in the County Jail persons convicted for violating any of the ordinances of the City of Charleston in the Police or Recorder's Court shall be charged in a separate book against said city, and shall be paid by said city directly to the Sheriff of Charleston County. Three-fourths of one mill of which shall be set apart for the installment of the County debt and interest falling due during the current fiscal year, and the County Commissioners are hereby forbidden to draw checks on either of these funds for any other purpose. That the sum of three thousand dollars (\$3,000) be, and the same are hereby, appropriated for the purpose of such work as may be necessary on the State Road extending from the terminus of Meeting Street at the boundary line of the City of Charleston to the County line. And the rest of the County levy shall be used as follows: The sum of four thousand four hundred and eighty-four 50-100 dollars (\$4,484 50-100) to the payment for the culvert across Huguenin Avenue; the sum of eleven hundred and fifty-three dollars (\$1,153.00) to the extraordinary repairs upon the Court House and Jail of damages caused by storm of August, 1885; the sum of twenty-five hundred dollars (\$2,500.00) for copying and binding indices and file books in office of Clerk of Court C. P. and G. S. for said County, same to be paid

A. D. 1885.

upon the certificate of the County Commissioners that the work **h**as been fully and properly done. And the remainder shall be **a**ppplied as follows, namely: One-eighth of one mill, if so much **b**e necessary, to the military tax, and the rest for general County **p**urposes. That out of the proceeds of the liquor license fund **t**here be paid the sum of four thousand four hundred and eighty-four 50-100 dollars (\$4,484 50-100), being the cost of the culvert constructed across Huguenin Avenue; also, the sum of eleven hundred and fifty-three dollars (\$1,153.00) for repairs to the Court House and Jail of damages caused by the storm of August, 1885; also the amount of the installment and interest of the County funded debt; also the amount of the deficiency in Court expenses of the past fiscal year, and the County Commissioners shall reimburse themselves for the amounts so used from the liquor license fund out of the proceeds of the tax hereinbefore levied for the said purposes. That all amounts hereafter to come into the Treasury from the fiscal year last past together with those of 1883-84 be used and applied to the deficiency of the fiscal year 1883-84, to be distributed *pro rata* among the holders of such claims. That all other funds and balances in the hands of or to the credit of the County Commissioners not otherwise appropriated, or herein appropriated, and not required, are hereby appropriated to general County purposes, to be used as provided for in the levy aforesaid. The said appropriation for ordinary County purposes, except the Court expenses and the items herein allowed to be paid out of the liquor license fund, shall be paid without any preference whatever. That the City Treasurer of the City of Charleston shall levy and collect, when the first installment of the city taxes is paid, an additional tax of one-half of one mill, the proceeds whereof shall be applied towards the erection of the additional public school in the upper wards of the said city: *Provided*, That five hundred dollars (\$500) of the said proceeds of said levy shall be used in aid of the Art School, in consideration that the Principal of such school shall give to the pupils of the city schools such instruction in art as the Board of Commissioners of Public Schools of the City of Charleston may require.

Except in the County of Chester, where it shall be six and one-half mills; of which the proceeds of three mills shall be applied to ordinary County purposes; of which the proceeds of three and one-half mills shall be applied for railroad tax; and in addition to the above six and one-half mills levy, there shall be

Chester.

A. D. 1885. a levy of one and one-half mills in the Court House School District for school purposes.

Chesterfield. Except in the County of Chesterfield, where it shall be five and one-half mills; of which the proceeds of three and one-half mills shall be applied for ordinary County purposes; of which the proceeds of two mills shall be applied to building a Court House.

Clarendon. Except in the County of Clarendon, where it shall be five and one-half mills; of which the proceeds of four mills shall be applied for ordinary County purposes; of which the proceeds of one-half of one mill shall, together with all the balances now in the County Treasury, be applied to bonded debt of County; of which the proceeds of one mill shall be applied to pay deficiencies for the fiscal year commencing November 1, 1884, all laws to the contrary notwithstanding.

Colleton. Except in the County of Colleton, where it shall be five and one-half mills; out of which the proceeds of two and one-half mills shall be applied to ordinary County purposes; out of which the proceeds of one mill shall be applied to roads and bridges; out of which the sum of five hundred dollars thereof, if so much be necessary, be, and the same is hereby, appropriated to defray one-half of the cost of building a bridge across Rantowle's Creek as required by an Act entitled "An Act to authorize and require the County Commissioners of the Counties of Berkeley and Colleton to build a bridge across Rantowle's Creek," approved 22d December, 1883; out of which the proceeds of one and one-fourth mills shall be applied to the payment of interest on railroad bonds: *Provided*, That any balance may be applied to ordinary County purposes; of which the proceeds of one-fourth of one mill shall be applied for poor of the County; of which the proceeds of one-half of one mill shall be applied to the payment of past indebtedness of the County, as reestablished by the County Commissioners since the year 1877.

Edgefield. Except in the County of Edgefield, where it shall be four and one-quarter mills, which shall be applied to general County purposes; and all unexpended balances now in the hands of the County Treasurer belonging to said County shall be applied, so far as may be necessary, to paying the past due indebtedness of said County.

Georgetown. Except in the County of Georgetown, where it shall be four mills for ordinary County purposes; and the further tax of ten mills to be levied exclusively upon cattle, hogs, sheep, goats and

dogs in such Townships of said County as are exempted from the provisions of the Stock Law.

A. D. 1885.

Except in the County of Greenville, where it shall be seven and three-fourths mills; of which the proceeds of three and one-half mills shall be applied to ordinary County purposes; of which the proceeds of one-fourth mill shall be applied to the past due indebtedness of the County; of which the proceeds of two and one-half mills shall be applied to pay the interest on the bonds issued in aid of the Air Line Railroad; of which the proceeds of three-fourths of one mill shall be applied to pay the interest on the bonds issued in aid of the Greenville and Laurens Railroad; of which the proceeds of one mill shall be applied to retire the bonded debt of the County.

Greenville.

Except in the County of Hampton, where it shall be six and one-fourth mills; of which the proceeds of five mills shall be applied to the ordinary County expenses; of which the proceeds of one-half mill shall be applied to pay the indebtedness of the old County of Beaufort; of which the proceeds of one-half mill shall be applied to the payment of outstanding school claims in the various School Districts, to be disbursed by the County Treasurer *pro rata*; of which the proceeds of one-fourth of one mill shall be applied by the County Commissioners to the changes, proposed by the Grand Jury in their presentment, to be made in the Court House, and in case the proceeds thereof be insufficient therefor the County Commissioners are authorized to provide for the deficiency out of the ordinary County fund: *Provided*, That any balances in the County Treasury arising from the levies of the present fiscal year at the close thereof shall be applied by the County Commissioners in the next fiscal year to paying certificates of jurors and witnesses and of such Constables as may be in attendance on the Courts of General Sessions and Common Pleas.

Hampton.

Except in the County of Horry, where it shall be five mills; of which the proceeds of three mills shall be applied to ordinary County purposes; of which the proceeds of one-half mill shall be applied to roads and bridges; of which the proceeds of one-sixth of one mill shall be applied to paying for books, stationery and printing; of which the proceeds of one mill shall be applied to public buildings; of which the proceeds of one-sixth of one mill shall be applied to the poor and Poor House of the County, and one-sixth of one mill to contingencies.

Horry.

A. D. 1895.

Kershaw.

Except in the County of Kershaw, where it shall be four mills, the proceeds of which shall be applied for ordinary County purposes.

Lancaster.

Except in the County of Lancaster, where it shall be nine mills; of which the proceeds of six mills shall be applied for ordinary County purposes; of which the proceeds of three mills shall be applied to paying the interest on railroad bonds.

Laurens.

Except in the County of Laurens, where it shall be seven mills; of which the proceeds of three and one-half mills shall be applied to ordinary County purposes; of which the proceeds of three and one-half mills shall be applied for railroads.

Lexington.

Except in the County of Lexington, where it shall be three and three-fourth mills; of which the proceeds of two and three-fourth mills shall be applied to ordinary County purposes; of which the proceeds of one mill shall be applied to building Jail, and the County Commissioners of said County are hereby authorized to issue bonds to the amount of five thousand dollars, if so much be necessary, for the completion of the County Jail, the bonds to bear interest at a rate not to exceed seven per cent. per annum.

Marion.

Except in the County of Marion, where it shall be three and one-half mills; of which the proceeds of three mills shall be applied to ordinary County purposes; of which the proceeds of one-half of one mill shall be applied to past indebtedness, to be disbursed by the County Commissioners.

Marlboro.

Except in the County of Marlboro, where it shall be six and three-fourth mills; of which the proceeds of three mills shall be applied for ordinary County purposes; of which the proceeds of three mills shall be applied for Court House tax and interest on the same; of which the proceeds of three-fourths of one mill shall be applied to the payment of deficiencies of past fiscal years, the same to be paid according to priority of claims.

Newberry.

Except in the County of Newberry, where it shall be three and one-fourth mills; of which the proceeds of two and three-fourths mills shall be applied for ordinary County purposes; of which the proceeds of one-half mill shall be applied to the payment of the funded indebtedness of the County.

Oconee.

Except in the County of Oconee, where it shall be four mills; of which the proceeds of three mills shall be applied for ordinary County purposes; of which the proceeds of one-half of one mill shall be applied for past indebtedness; of which the proceeds of one-half of one mill shall be kept for contingencies.

Except in the County of Orangeburg, where it shall be three mills for ordinary County purposes, and one-half of one mill additional in those School Districts now indebted for past due school claims.

A. D. 1885.

Orangeburg.

Except in the County of Pickens, where it shall be eleven and one-fourth mills; of which the proceeds of three mills shall be applied for ordinary County purposes, and one-fourth of one mill to be expended in paying for right of way for new road; and the proceeds of eight mills shall be applied to paying the interest on railroad bonds and for retiring said bonds.

Pickens.

Except in the County of Richland, where it shall be three and one-fourth mills; of which the proceeds of one-half of one mill shall be applied to improvements and repairs of Court House and other public buildings, if so much be necessary, and the remainder to be applied to ordinary County purposes; and in addition to the above there shall be a levy of two mills in the School District of Columbia in lieu of any special tax authorized to be levied by "An Act to provide for the establishment of a new School District in Richland County, and to authorize the levy and collection of a local tax therein," approved December 24th, 1880.

Richland.

17 Stat. 401.

Except in the County of Sumter, where it shall be three (3) mills; of which the proceeds of two and one-half mills shall be applied to ordinary County expenses; of which the proceeds of one-fourth of a mill shall be applied to paying the deficiencies of the fiscal year ending October 31st, 1885; and of which the proceeds of one-fourth of a mill shall be applied to the payment of the cost of opening and constructing a public highway from Privateer Township across Pocatigo Swamp to Concord Township: *Provided*, That in anticipation of the collection of said tax the County Commissioners of Sumter County be, and they are hereby, authorized and empowered to borrow on the credit of the County and upon the pledge of the first collection of taxes, and turn over to the County Treasurer, so much money as may be necessary to pay jurors' and witnesses' certificates of the Circuit Court of said County.

Sumter.

Except in the County of Spartanburg, where it shall be eight mills; of which the proceeds of three and one-half mills shall be applied for ordinary County purposes; of which the proceeds of three and one-half mills shall be applied to paying the interest on railroad bonds issued by the County; of which the proceeds of one mill shall be applied for a sinking fund.

Spartanburg.

A. D. 1885.

Union.

Except in the County of Union, where it shall be seven and three-fourths mills; of which the proceeds of three mills shall be applied for ordinary County purposes; of which the proceeds of three and one-half of one mill shall be applied to paying the interest on railroad bonds issued by the County in aid of railroads; of which the proceeds of one-half of one mill shall be applied to retiring railroad bonds issued by the County in aid of railroads; and of which the proceeds of three-fourths of one mill shall be applied to pay the past indebtedness of the County.

Williamsburg.

Except in the County of Williamsburg, where it shall be three and three-fourths mills, the proceeds of which shall be applied for ordinary County purposes.

York.

Except in the County of York, where it shall be four and one-tenth mills; of which the proceeds of two and one-half mills shall be applied to ordinary County purposes; of which the proceeds of eight-tenths of one mill shall be applied to pay the interest on County bonds; of which the proceeds of eight-tenths of one mill shall be applied to retiring County bonds.

Profits of
Penitentiary to
be paid into
State Treasury.

SEC. 3. That the Board of Directors of the State Penitentiary are hereby directed to pay into the Treasury at the end of each month, or within five days thereafter, all amounts received by them from the hire of convicts and from other sources, after first paying the necessary expenses of the said institution and all other disbursements authorized by law; the said amounts so paid into the Treasury to be held subject to warrants of the Comptroller General to pay amounts appropriated by the General Assembly in the same manner as with other funds in the Treasury.

Deposit of
State moneys.

SEC. 4. That all the proceeds of the taxes levied for and on account of the State, as specified herein, shall be deposited and kept by the State Treasurer in such bank or banks, or places of special deposit, as in the judgment or discretion of the Financial Board of the State shall afford sufficient protection to the interests of the State.

Auditors and
Treasurers to
collect taxes.

SEC. 5. That the County Auditors and County Treasurers of the several Counties of this State are hereby required, under the direction and supervision of the Comptroller General, to make collection of the taxes levied under and pursuant to the provisions of this Act, in the manner and at the time and under the conditions hereinafter provided; and they are hereby forbidden to collect any other tax (except the taxes to meet the interest

No other taxes
to be collected
except, &c.

and retire the bonds issued by Counties in aid of railroads, or **taxes** voted by towns, Counties or Townships as subscriptions to railroads, and taxes to build fences, under Statutes authorizing and directing the same, and except also the special school tax authorized to be levied in any School District of this State, and except such special tax or collection as is authorized by any Act or Joint Resolution of the General Assembly,) whatsoever, levied for the fiscal year, unless herein expressly authorized so to do; and any State or County officer who shall fail to comply with, or shall evade or attempt to evade, the provisions of this Act shall be deemed guilty of a felony, and upon conviction thereof shall be punished by fine of not less than one thousand dollars nor more than five thousand dollars, and by imprisonment in the Penitentiary for a period of not less than one year or more than five years.

A. D. 1885.

Penalty for violation of this Act.

SEC. 6. That there shall be assessed upon all taxable polls in this State a tax of one dollar on each poll, the proceeds of which tax shall be applied solely to educational purposes. Every male citizen between the ages of twenty-one and sixty years, except those incapable of earning a support from being maimed or from other causes, and except those who are now exempt by law, shall be deemed taxable polls; and should any person fail or refuse to pay said poll tax, he shall be deemed guilty of a misdemeanor, and, on conviction thereof before any Trial Justice or other Court having jurisdiction of the same, shall be punished by a fine, which shall not exceed ten dollars, together with the cost of said suit, or by imprisonment in the County Jail for a term not exceeding thirty days.

Poll tax.

Who liable.

Penalty for non-payment.

SEC. 7. That all taxes assessed and payable under this Act shall be paid in the following kinds of funds and no other: Gold and silver coin, United States currency, National Bank notes, and coupons which shall become payable during the year 1886 on the valid consolidated bonds of this State known as "Brown Bonds" and on the bonds of this State known as "Deficiency Bonds": *Provided, however,* That jury certificates and the per diem of State witnesses in the Circuit Courts shall be received for County taxes, not including school taxes.

In what funds payable.

SEC. 8. That all taxes herein assessed shall be due and payable from the 15th day of October to the 15th day of December, 1886, and the several County Treasurers shall collect the same in the manner prescribed by law, and give receipts therefor to the several parties paying the same, in which the real estate paid on

When payable.

Receipts.

A. D. 1885.

No extension
of time.

Notice by
County Treas-
urer.

shall be briefly described and the value of the personal property paid on shall be stated, together with the time such taxes are paid and the amount of the same: *Provided*, That there shall be no extension of the time for collecting said taxes beyond the date herein fixed.

SEC. 9. That the County Treasurers, immediately upon receipt of the tax duplicate for the year from the County Auditor, shall cause a notice to be inserted twice in one daily newspaper published at the County seat of their County, and if no daily paper be published at such County seat, then in one weekly paper published in such County; and if no paper be published in the County, then such notice shall be given in such manner as the County Treasurer may direct, stating the rate per centum of the levy for State purposes and the rate per centum for all other purposes on the duplicate of the present year; and if any special levies have been made on the property of a school or other district not affecting an entire County, the total rate of levies in such districts shall also be stated in such notice.

Distress for
non-payment.

SEC. 10. That when the taxes and assessments, or any portion thereof, charged against any property or party on the duplicate for the present fiscal year shall not be paid on or before the fifteenth day of December, 1886, the County Treasurer shall proceed to collect the same by distress or otherwise, as now prescribed by law, together with the penalty of fifteen per centum on the amount so delinquent; and if the amount of such delinquent taxes, assessments and penalties shall not be paid on or before the second day of January, 1887, or be collected by distress or otherwise, then the same shall be treated as delinquent taxes on such real and personal property, and shall be collected by sale of such real and personal property according to law.

Sale of prop-
erty.

Personal prop-
erty.

SEC. 11. That all personal property subject to taxation shall be liable to distress and sale for the payment of taxes and assessments as now provided by law.

Real property
delinquent to
be sold.

SEC. 12. That all real property returned delinquent by the County Treasurer shall be offered for sale on the first Monday in March, 1887, after due advertisement as now provided by law, and thereafter from day to day until the whole amount thereof, as included in the delinquent list, shall have been sold or offered for sale; and the County Auditors and the County Treasurers shall proceed in reference to the further disposal

of such delinquent real estate according to the forms and with **the** conditions now prescribed and required by law : *Provided*, **That** the cost of such advertising shall not exceed twenty-five **cents** upon each parcel of land so advertised.

A. D. 1885.

Cost of advertising.

SEC. 13. That the County Commissioners in each of the **several** Counties of this State shall levy a tax of two mills on **the** dollar upon all taxable property of their respective Counties for the support of public schools in their respective Counties, **which** shall be collected at the same time and by the same **officers** as the other taxes for this year, and shall be held in the **County** treasuries of the respective Counties and paid out **exclusively** for the support of public schools, as provided by law.

School tax.

SEC. 14. That all personal property used in connection with **mines** and mining claims, and all land not actually mined connected with mines and mining claims, shall be assessed for taxation and taxed as is done in the case of all other personal and real estate. That in all cases where land is actually mined, such land shall not be assessed for taxation or taxed, but in lieu thereof the gross proceeds alone of such mines and mining claims shall be assessed and taxed, and such gross proceeds shall be ascertained and determined by the cash market value of the material mined.

Mines and mining claims.

SEC. 15. That in anticipation of the collection of the taxes hereinbefore levied, the Governor and the State Treasurer be, and they are hereby, empowered to borrow, on the credit of the State, so much money as may be needed to meet promptly, at maturity, the interest which shall mature during the year 1886 on the valid consolidated debt of the State, and to pay the current expenses of the State Government for the present fiscal year : *Provided*, The sum so borrowed shall in no event exceed the amount of two hundred thousand dollars ; and the County Commissioners of each County in the State, except the County of Barnwell, are hereby authorized and empowered to borrow an amount not exceeding one-third ($\frac{1}{3}$) of the tax levied in said County for current purposes, and to pay interest at a rate not to exceed seven per cent. per annum on the amount so borrowed, and to pledge the taxes for which a levy has been made for the repayment of such sums and the interest thereon ; and all sums so borrowed shall be paid over to the Treasurers of the respective Counties to be disbursed by them according to law : *Provided*, That this Section shall not apply to any County

Governor and State Treasurer to borrow money.

Limit.

County Commissioners may borrow.

Exception.

A. D. 1885.

where a different special authority is or shall be given by any special Act.

When to take effect.

SEC. 16. That this Act shall take effect from and immediately after its approval.

In the Senate House, the twenty-fourth day of December in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

No. 145. AN ACT TO MAKE APPROPRIATIONS TO MEET THE ORDINARY EXPENSES OF THE STATE GOVERNMENT FOR THE FISCAL YEAR COMMENCING NOVEMBER 1ST, 1885.

- SEC. 1.—Ordinary expenses of State Government.
- SEC. 2.—Executive Department.
- SEC. 3.—Judicial Department.
- SEC. 4.—Health Department.
- SEC. 5.—Tax Department.
- SEC. 6.—South Carolina University.
- SEC. 8.—Penal and charitable institutions.
- SEC. 9.—Miscellaneous appropriations.
- SEC. 10.—Interest on the public debt.
- SEC. 11.—Salaries to be paid monthly. Vouchers. Stamps.
- SEC. 12.—Accounts of public moneys. Limit to contracts.
- SEC. 13.—To go into effect immediately.
- SEC. 14.—Repealing clause.

Amount appropriated for the ordinary expenses of the State government.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the ordinary expenses of the State Government for the fiscal year commencing November 1st, 1885, as is more specifically indicated in the several succeeding Sections of this Act, that is to say :

EXECUTIVE DEPARTMENT.

For expenses of Executive Department.

SEC. 2.—1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the Executive Department, as follows :

2. For the salary of the Governor, thirty-five hundred dollars; A. D. 1885.
for the salary of the Governor's Private Secretary, fifteen hun- Governor and
dred dollars; for the salary of the Governor's Messenger, four his office.
hundred dollars; for the contingent fund of the Governor for
rewards and other purposes, four thousand dollars; for stationery
and stamps for the Governor, two hundred and fifty dollars.

3. For the salary of the Lieutenant Governor, one thousand Lieutenant
dollars. Governor.

4. For the salary of the Secretary of State, twenty-one hun- Secretary of
dred dollars; for the salary of the Clerk of the Secretary of State's depart-
State, fifteen hundred dollars; for the contingent fund of the ment.
Secretary of State, two hundred and fifty dollars; for stationery
and stamps for the Secretary of State, two hundred and fifty
dollars.

5. For the salary of the Comptroller General, twenty-one Comptroller
hundred dollars; for the salary of the Chief Clerk of the Comp- General's de-
troller General, fifteen hundred dollars; for the salary of the partment.
Bookkeeper of the Comptroller General, fifteen hundred
dollars; for the contingent fund of the Comptroller
General, three hundred dollars; for stationery and
stamps for the Comptroller General, two hundred and
fifty dollars; for printing for the Comptroller General, two
hundred dollars; for the use of the Comptroller General, in
examining the books, papers and accounts pertaining to the
offices of the Auditors and Treasurers of the respective Counties,
as required in Section 224 of the General Statutes, six hundred
dollars, if so much be necessary, to be paid upon the warrant of
the Comptroller General, who shall file as vouchers itemized
statements of the actual expenses incurred in each inspection,
sworn to by the party making the inspection.

6. For the salary of the State Treasurer, twenty-one hundred State Treas-
dollars; for the salary of the Chief Clerk of the State Treasurer, urer's depart-
fifteen hundred dollars; for the salary of the Bookkeeper (Loan ment.
Department) of the State Treasurer, fifteen hundred dollars;
for the salary of the General Bookkeeper of the State Treasurer,
fifteen hundred dollars; for the contingent fund of the State
Treasurer, two hundred and fifty dollars; for stationery and
stamps for the State Treasurer, two hundred and fifty dollars.

7. For the salary of the State Superintendent of Education, Superintend-
twenty-one hundred dollars; for the salary of the Clerk of the ent of Educa-
State Superintendent of Education, twelve hundred dol- tion's depart-
lars; for the contingent fund of the State Superintendent ment.

A. D. 1885.

of Education, two hundred dollars; for stationery and stamps for the State Superintendent of Education, one hundred and fifty dollars; for printing books and blank forms for the use of the public schools, eight hundred dollars; for the traveling expenses of the State Superintendent of Education and the State Board of Examiners and board of the members of said Examining Board, three hundred dollars, if so much be necessary: *Provided*, That an itemized statement of such expenses be kept by the State Superintendent of Education and reported by him to the next General Assembly.

Normal Institutes.

8. That the sum of fifteen hundred dollars, if so much be necessary, be, and the same is hereby, appropriated for the purpose of conducting Normal Institutes during the year 1886, under the supervision of the State Superintendent of Education, to be paid by the State Treasurer, on the order of the State Superintendent of Education, upon the warrant of the Comptroller General, and the said State Superintendent of Education shall account for the proper disbursement thereof by filing vouchers with the Comptroller General before the meeting of the General Assembly in November, (1886) eighteen hundred and eighty-six.

Adjutant and Inspector General's department.

9. For the salary of the Adjutant and Inspector General, fifteen hundred dollars; for the salary of the Clerk of the Adjutant and Inspector General, twelve hundred dollars; for the salary of the State Armorer, five hundred dollars; for the salary of the Ordnance Sergeant of the State, four hundred dollars; for the contingent fund of the Adjutant and Inspector General, one hundred and fifty dollars; for stationery and stamps for the Adjutant and Inspector General, one hundred and fifty dollars; for collecting arms, freight, advertising, printing, the expenses of inspections, purchasing missing parts of arms and ammunition, one thousand dollars, if so much be necessary.

Appropriation military companies.

10. For the purpose of assisting companies to maintain their organization, fourteen thousand dollars, to be disbursed by the Adjutant and Inspector General in accordance with the provisions of Section 2 of an Act entitled "An Act to amend the Militia Laws of the State," approved December 24, A. D. 1883, if so much be necessary, to be paid on the order of the Adjutant and Inspector General upon the warrant of the Comptroller General.

18 Stat. 457.

Attorney General's department.

11. For the salary of the Attorney General, twenty-one hundred dollars; for the salary of the Assistant Attorney

General, fifteen hundred dollars; for the contingent fund of the **Attorney General**, two hundred dollars; for stationery and stamps for the Attorney General, sixty dollars; for the expenses of litigation, four thousand dollars, if so much be necessary; and the Attorney General is hereby authorized and required to conduct all litigation which may be necessary for any of the Departments of the State Government or any of the Boards connected therewith, and all such Departments or Boards are hereby forbidden to employ any counsel for any purpose except through the Attorney General and upon his advice: *Provided*, That this provision shall not apply to suits pending prior to December 23d, 1882.

A. D. 1885.

Counsel to be employed for State by Attorney General only.
Exception.

12. For the salary of the State Librarian, six hundred and twenty-five dollars; for the contingent fund of the State Librarian, two hundred dollars; for stationery and stamps for the State Librarian, two hundred dollars.

State Librarian.

13. For the salary of the State House Keeper, five hundred dollars; for the contingent fund of the State House Keeper, for repairs on State House and for work on the State House Grounds, two hundred dollars, if so much be necessary.

State House Keeper and grounds.

14. For the salary of two Watchmen for the State House, eight hundred dollars.

Watchmen.

15. For the salary of the Janitor of the State House, one hundred and sixty dollars.

Janitor.

JUDICIAL DEPARTMENT.

SEC. 3.—1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the Judicial Department, as follows:

Appropriation for Judicial Department.

2. For the salary of the Chief Justice, four thousand dollars; for the salary of two Associate Justices, seven thousand dollars.

Justices of Supreme Court.

3. For the salary of the eight Circuit Judges, twenty-eight thousand dollars; for the salary of the eight Circuit Solicitors, twelve thousand five hundred dollars.

Circuit Judges

4. For the salary of the Clerk of the Supreme Court, one thousand dollars; for the salary of the State Reporter, one thousand dollars; for the salary of the Librarian of the Supreme Court, and other officers to be appointed by the Supreme Court, thirteen hundred dollars; for the contingent fund of the Supreme Court, five hundred dollars; for the purchasing of books for the Supreme Court Library, one thousand dollars.

Clerk of Supreme Court, Reporter and other officers.

Contingent fund and books.

- A. D 1885. 5. For purchasing one hundred copies of the 24th Volume of the Supreme Court Reports, four hundred and fifty dollars.
- Purchase of
S. C. Reports.

HEALTH DEPARTMENT.

SECTION 4.—1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the Health Department, as follows :

Quarantine at Charleston. 2. For the salary of the Quarantine Officer of Charleston, eighteen hundred dollars ; for the expense of maintaining the Quarantine Station, Charleston Harbor, one thousand dollars.

St. Helena. 3. For the salary of the Quarantine Officer at St. Helena, eight hundred dollars ; for expenses of Quarantine Station at St. Helena, one hundred and fifty dollars.

Port Royal. 4. For the salary of the Quarantine Officer of Port Royal, eight hundred dollars ; for expenses of Quarantine Station at Port Royal, three hundred dollars ; for replacing buildings at Quarantine Station, Port Royal, which were destroyed by the cyclone of August, 1885, two thousand dollars ; for the salary of the Keeper of the Hospital buildings at Port Royal harbor, two hundred dollars.

Georgetown. 5. For the salary of the Quarantine Officer at Georgetown, five hundred dollars ; for expenses of Quarantine Station at Georgetown, one hundred and fifty dollars ; for the purpose of purchasing a site and building a dwelling house for the Quarantine Officer of Georgetown, one thousand dollars : *Provided*, That said dwelling shall be on land belonging to the State.

Keeper of Lazaretto. 6. For the salary of the Keeper of the Lazaretto, four hundred dollars.

Miscellaneous. 7. For the purpose of carrying out the provisions of the Act establishing a State Board of Health, three thousand dollars.

That the various amounts specified in this Section of this Act shall be paid, on the application of the Chairman of the Executive Committee of the State Board of Health, on the warrants of the Comptroller General.

TAX DEPARTMENT.

SEC. 5.—That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the Tax Department, as follows :

County Auditors. 2. For the salaries of the County Auditors, twenty-one thousand nine hundred dollars.

3. For printing books, &c., for County Auditors and Treasurers, two thousand five hundred dollars.

A. D. 1885.

Printing
books, &c.

SOUTH CAROLINA UNIVERSITY.

SEC. 6.—1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the South Carolina University, to wit:

Appropriation
for University.

2. For the payment of the insurance and repairs on the University buildings, two thousand dollars, to be paid on the application of the Board of Trustees upon the warrants of the Comptroller General.

Insurance and
repairs.

3. For the salary of the Librarian of the South Carolina University, five hundred dollars.

Librarian.

4. For the purposes of the schools in the South Carolina University at Columbia, to be used in the manner prescribed by law, fifteen thousand dollars, to be paid upon the application of the Board of Trustees of the South Carolina University on the warrants of the Comptroller General. For the salary of Assistant Professor of Agriculture, seventeen hundred dollars; for the pay of the Professor of Applied Mechanics, three hundred dollars; for equipping the department of Applied Mechanics, twelve hundred dollars.

Schools in
University at
Columbia.Agriculture
and Mechan-
ics.

5. For the support of the beneficiary cadets at the Citadel Academy, eighteen thousand five hundred dollars, to be paid on the warrants of the Comptroller General issued upon the requisitions of the Chairman of the Board of Visitors of the said Academy.

Citadel Aca-
demy.

6. For the payment of the insurance on the Citadel buildings, four hundred dollars, if so much be necessary.

Insurance on
Citadel.

PENAL AND CHARITABLE INSTITUTIONS.

SEC. 8.—1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated to meet the expenses of the penal and charitable institutions, as follows;

Appropriation
for penal and
charitable in-
stitutions.*South Carolina Penitentiary.*

2. For the salary of the Superintendent of the Penitentiary, twenty-one hundred dollars; for the salary of the Captain of the Guard, twelve hundred dollars; for the salary of the Physician of the Penitentiary, to be appointed by the Superintendent of the Penitentiary, twelve hundred dollars; for the

South Caro-
lina Peniten-
tiary.

A. D. 1885.



Directors.

Unexpended
balances.

salary of the Chaplain of the Penitentiary, to be appointed by the Superintendent, six hundred dollars; for the salary of the Clerk of the Penitentiary, twelve hundred dollars; for which amounts the Comptroller General is authorized and directed to issue his warrants, any law to the contrary notwithstanding. That the balance as reported in the hands of the Board of Directors of the South Carolina Penitentiary on October 31, 1885, together with all other amounts received or to be received from the hire of convicts, or from any other source, during the current fiscal year, be, and the same are hereby, appropriated for the support of the Penitentiary and for the other purposes hereinafter indicated, and for any purposes required by law which are not herein indicated. For the per diem and mileage of the Directors of the South Carolina Penitentiary, each of whom shall be entitled to receive five dollars per diem for each day of actual attendance on the meetings of said Board, and five cents per mile for the actual distance traveled by the most direct route going to and returning from the home of said Director to the place of meetings of said Board, and the Annual Report of the Superintendent of the South Carolina Penitentiary shall contain in a separate account an itemized statement of the amount expended for account of said per diem and mileage, showing the amount paid to each Director on each of said accounts, fifteen hundred dollars, if so much be necessary; for the current expenses in support of the Penitentiary, so much as may be necessary; for heating, enclosing, lighting and furnishing the North and South wings and woman's prison, and for covering, doors and locks for North wing, fifteen thousand dollars; for purchasing ammunition, one hundred and fifty dollars; for purchasing brick yard machinery, two thousand five hundred dollars, if so much be necessary. That the Board of Directors of the South Carolina Penitentiary are hereby required to turn over on the thirty-first day of October, 1886, to the State Treasurer any and all unexpended balances of the appropriations hereinbefore made for support, building, purchase of machinery and of ammunition, &c., together with the balance of the net earnings remaining in their hands, after first subtracting the sum of ten thousand dollars, which they are hereby authorized to retain in their hands to await the further action of the General Assembly. The said Board of Directors are hereby required to collect and pay over to the State Treasurer,

as soon as collected, the outstanding credits reported as available assets on 31st October, 1885.

A. D. 1885.

South Carolina Lunatic Asylum.

3. For the salary of the Superintendent and Physician of the Lunatic Asylum, three thousand dollars; for the per diem and mileage of the Board of Regents of the Lunatic Asylum, (each of whom shall be entitled to receive five dollars per day for each day actually engaged in attending the meetings of said Board and in going to and returning from the same, and a mileage of five cents per mile for each mile actually traveled,) two thousand dollars, if so much be necessary; for the current expenses in support of the Lunatic Asylum, seventy thousand dollars; for insurance, three thousand dollars; for deficit in building account, four thousand one hundred and ten 44-100 dollars; for repairs to new building, seven hundred dollars; for the purchase of books for the use of patients, fifty dollars; to be paid on the application of the Superintendent, approved by the Board of Regents, upon the warrants of the Comptroller General, and that a detailed statement of all expenditures in support of the institution shall be made to the next and each succeeding session of the General Assembly, the same to be incorporated in the Report of the said Superintendent.

State Lunatic Asylum.

Buildings.

Report of expenditures.

Deaf and Dumb and the Blind Asylum.

4. For the support of the Deaf and Dumb and the Blind Asylum, twelve thousand dollars, if so much be necessary; for repairs to the buildings and grounds, five hundred dollars; for insurance, three hundred and thirty one 64-100 dollars; for drainage, two hundred dollars; for the purpose of purchasing an organ, twelve hundred dollars.

Deaf, Dumb and Blind Asylum.

Catawba Indians.

5. For the Catawba Indians, eight hundred dollars, to be paid on the application of the Agent upon the warrant of the Comptroller General: *Provided*, That the said Agent before receiving said warrant enter into bond in the sum of sixteen hundred dollars, with surety to be approved by the Governor, for the faithful discharge of his duty in the disbursement of any funds which hereafter may come into his hands.

Catawba Indians.

Agent to give bond.

A. D. 1885.

MISCELLANEOUS.

Appropriation
for miscellane-
ous purposes.

SEC. 9.—1. That the following sums, if so much be necessary, be, and the same are hereby, appropriated for miscellaneous expenses, namely :

Civil contin-
gent fund.

2. For the civil contingent fund, fifteen hundred dollars, to be paid on the order of the Governor upon the warrants of the Comptroller General.

Agricultural
Society.

3. For the aid of the State Agricultural and Mechanical Society of South Carolina, two thousand five hundred dollars, to be paid on the application of the President of said Society upon the warrant of the Comptroller General: *Provided, That* no gambling, chance or raffling games shall be permitted upon the grounds occupied by said Society.

Proviso.

Water in pub-
lic buildings.

4. For the purposes of an Act entitled "An Act to provide for the payment of water used in the public institutions of the State located in Columbia," approved February 9, 1882, one thousand dollars, to be paid on the warrants of the Comptroller General issued in accordance with the provisions of said Act.

17 Stat. 944.

Committee to
examine State
Treasurer's
books.

5. To pay the expenses of the Committee appointed to examine the books of the State Treasurer for the fiscal year ending October 31, 1885, one hundred and sixty-five dollars.

Consolidation
of bonded debt.

6. For defraying the expenses of the continuance of the consolidation of the bonded debt of the State, as provided by law, one thousand dollars, if so much be necessary, the same to be paid on the application of the State Treasurer, upon the warrant of the Comptroller General.

Repairs to
Hospital, &c.

7. For defraying the cost of repairs to the Hospital and other buildings at the Quarantine Station, near the City of Charleston, damaged by the cyclone of 25th August, 1885, twenty-five hundred and seventy-five dollars, the same to be paid on the application of the Chairman of the Board of Health of Charleston, upon the warrant of the Comptroller General.

Governor's
Mansion.

8. For repairs and improvements to and furniture for the Governor's Mansion, and for insurance and lighting, seven hundred dollars, if so much be necessary, to be paid on the order of the Governor, upon the warrant of the Comptroller General.

Claims.

9. To pay the claims passed by the General Assembly at its regular session of 1885, three thousand dollars.

Public print-
ing.

10. To pay for the public printing of this fiscal year, fifteen thousand dollars, if so much be necessary.

11. To pay the cost of providing artificial limbs for the soldiers of this State who lost legs or arms, or who were permanently disabled in their legs or arms, nine thousand dollars, if so much be necessary; the said amount to be paid in accordance with the provisions of an Act entitled "An Act to provide artificial limbs for all soldiers of the State who lost their legs or arms, or who have been permanently disabled, &c.," approved December 17, 1881.

A. D. 1885.

Artificial limbs

17 Stat 563.

12. For the salaries of the Railroad Commissioners, six thousand and three hundred dollars; for the Clerk of the Railroad Commissioners, twelve hundred dollars, and three hundred and fifty dollars to pay the contingent expenses of the office for the year 1886, if so much be necessary, to be advanced by the State until the same shall have been collected from the railroad companies of this State in the manner prescribed by law, and when collected the same shall be replaced in the State Treasury; and the Commissioner of Agriculture is hereby required to furnish office room for the said Railroad Commissioners and their Clerk in the building in the City of Columbia now occupied by the Department of Agriculture.

Railroad Commission.

To be furnished rooms in Agricultural building.

13. For the salaries of the Supervisors of Registration, seven thousand dollars, that is to say, to pay the Supervisors of Registration for each County in the State except the County of Charleston, the sum of two hundred dollars, for services to be rendered during the fiscal year commencing November 1, 1885; and to the Supervisor of Registration for Charleston County, the sum of four hundred dollars, for services to be rendered during the same period, said amounts to be paid on the first day of June, 1886, out of any funds in the Treasury not otherwise specifically appropriated.

Registration.

14. For the per diem and mileage of the Commissioners and Managers of Election and their Clerks, in accordance with the provisions of an Act entitled "An Act to provide for the payment of the expenses of elections in this State," approved December 23, 1882, the sum of twenty thousand dollars, if so much be necessary.

Election expenses.

15. For printing blanks, books and for stationery for the purposes of the next general election, eight hundred dollars, if so much be necessary.

Blanks, &c., for election.

A. D. 1885.

Books, &c.,
for registra-
tion.
Muster roll
of soldiers of
Revolution.

16. For books and certificates of registration for Supervisors of Registration, two thousand dollars, if so much be necessary.

17. To defray the cost of printing one thousand copies of the muster roll of the soldiers of the Revolution of 1776, presented to the State by the Society of the Cincinnati, as resolved by the Concurrent Resolution of the House of Representatives and concurred in by the Senate, on the 19th December, 1884, three hundred dollars, if so much be necessary; the printing of the same and the distribution thereof to be made under the supervision of the Governor of the State, and the said cost to be paid on the warrant of the Comptroller General on the application of the Governor of the State.

Roll of Con-
federate troops
of this State.

18. For the completion by the Adjutant and Inspector General of the preparation of rolls of troops furnished by the State of South Carolina to the Army of the Confederate States, and of the militia of the State in active service during the war between the Confederate States and the United States, five hundred dollars.

Harbor Com-
mission.

19. That the sum of eleven hundred dollars be, and the same is hereby, appropriated for the purpose of paying the salary of James Armstrong, Harbor Master, and the incidental expenses of the Harbor Commission of the Port of Charleston, to supply the deficiency created by a decision of the Supreme Court adverse to fees charged by said Commission under the Act creating it.

State Board
of Equaliza-
tion.

20. For the expenses of the State Board of Equalization which meets in the year 1886, one thousand dollars, if so much be necessary.

INTEREST ON THE VALID DEBT OF THE STATE.

Appropriation
to pay interest
on valid debt.

SEC. 10. That the sum of three hundred and ninety-one thousand three hundred and thirty-two dollars, if so much be necessary, be, and same is hereby, appropriated to pay the interest on the valid debt of the State which shall mature and become payable on the first day of January and on the first day of July in the year 1886, and for unpaid interest payable in prior years, that is to say;

Coupons and
interest on de-
ficiency bonds
and stock.

1. To pay the coupons and interest to mature and become payable as aforesaid on the deficiency bonds and stocks of the

State which have been or may be issued under an Act entitled "An Act to provide for the settlement of the unfunded debt of the State incurred before the 1st November, 1876," and the Acts amending the same.

A. D. 1883.

16 Stat. 555.

2. To pay the interest to mature and become payable as aforesaid on the State stock issued to the Board of Trustees of the South Carolina University for the benefit of the Agricultural College, under an Act approved 23d December, 1879.

State stock of
Agricultural
College.

17 Stat. 86.

3. To pay the coupons and interest to mature and become payable as aforesaid on all valid consolidated bonds and stocks of the State now outstanding, and on all such bonds and stocks which may be hereafter issued under any Acts of the General Assembly which may provide for said issue.

Coupons and
interest on
valid consoli-
dation bonds
and stock.

SEC. 11. That the amounts specified in the several preceding Sections of this Act for salaries and clerical services shall be paid in monthly installments, and shall be paid upon the warrants of the Comptroller General; and the amounts specified for contingent funds and stationery, as shall be required, shall be paid upon the warrants of the Comptroller General, on the application of the various officers entitled to the same: *Provided*, That the accounts and vouchers upon which said applications are made shall be filed with the Comptroller General before issuing his warrants on the State Treasurer for the same; and that for the amount required by the various officers for the purchase of stamps the Comptroller General is hereby authorized to issue his warrant to said officer.

Salaries to be
paid monthly.Vouchers to
be filed.

Stamps.

SEC. 12. That the moneys hereinbefore set apart to be used as contingent funds and for other purposes by the various officers of the State Government shall be duly accounted for; and such officers shall make a detailed statement of the disposition made thereof to the General Assembly, at the next regular session, on or before the first day of December, A. D. 1886: *Provided*, That no officer authorized to make contracts or draw funds from said appropriations shall expend or make contracts for expending more than has been specified for any purpose by this Act.

Moneys to be
accounted for
by public of-
ficers.No contract to
exceed appro-
priation.

SEC. 13. That this Act shall take effect from and immediately after its approval.

When to take
effect.

A. D. 1885.

Repealing
clause.

SEC. 14. That all Acts and Joint Resolutions or parts of Acts and Joint Resolutions inconsistent or conflicting with the provisions of this Act be, and the same are hereby, repealed.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

No. 146. AN ACT TO AUTHORIZE AND REQUIRE THE COUNTY COMMISSIONERS OF LANCASTER COUNTY TO APPLY AN UNEXPENDED BALANCE IN THE HANDS OF THE TREASURER TO THE PAYMENT OF ORDINARY COUNTY EXPENSES.

SEC. 1.—Appropriation of unexpended balances.

SEC. 2.—Repealing clause.

Appropriation
for unexpended
balances.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Lancaster County be, and they are hereby, authorized and required to apply an unexpended balance of one thousand eight hundred and twenty-nine dollars and ninety-seven cents (\$1,829.97) which was levied and collected for the payment of the accrued interest on the bond indebtedness of said County, and which is not needed for that purpose, to the payment of claims chargeable against said County for ordinary expenses arising in the fiscal year 1884-85; and the said County Commissioners are hereby authorized and required to apportion said unexpended balance among the various funds for the payment of the ordinary expenses of the County as in their judgment may seem best.

Apportion-
ment.

SEC. 2. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed. A. D. 1885.

Repealing
clause.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO REPEAL SECTION 6 OF AN ACT ENTITLED "AN ACT No. 147.
TO AUTHORIZE COUNTY COMMISSIONERS TO OPEN AND
ESTABLISH PUBLIC HIGHWAYS," APPROVED DECEMBER
24TH, A. D. 1883.

Repeals provision forbidding appeals.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 6 of an Act entitled "An Act to authorize County Commissioners to open and establish public highways," approved December 24th, A. D. 1883, be, and the same is hereby, repealed.

Section 6, of
A. A. 1883, 18
Stat. 632, for-
bidding ap-
peals, repeal-
ed.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.
 No. 148.

AN ACT TO INCORPORATE THE ORANGEBURG SAVINGS BANK,
 OF THE CITY OF ORANGEBURG, SOUTH CAROLINA.

SEC. 1.—Incorporation. Name.

SEC. 2.—Rights, powers and liabilities.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Incorporation. William F. Barton, Samuel Dibble, Thomas M. Raysor, James D. Cummings, James F. Izlar, George H. Cornelson, Augustine T. Smythe, and James M. Seignious, together with such other persons as now are or shall hereafter be associated with them, shall be, and they are hereby constituted and made, a body corporate and politic, under and by the name of the Orangeburg Savings Bank, of the City of Orangeburg, South Carolina.

Name.

Rights, powers and liabilities. SEC. 2. That said corporation shall have, and is hereby vested with, all the powers, rights and privileges, and is hereby subjected to all the liabilities and restrictions, contained in Sections 2, 3, 4, 5, 6, 7, 8, 9 and 10 of an Act entitled "An Act to incorporate the Chicora Savings Bank, of Pelzer, South Carolina."

A. A. Dec. 15, 1885, ante p. 8.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
 President of the Senate.
 JAMES SIMONS,
 Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
 Governor.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROVIDE FUNDS FOR THE BUILDING AND COMPLETION OF THE COURT HOUSE OF MARLBORO COUNTY," APPROVED DECEMBER 23D, A. D. 1884.

A. D. 1885.
No. 149.

Amendment as to bonds or certificates.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 3 of an Act entitled "An Act to provide funds for the building and completion of the Court House of Marlboro County" be, and the same hereby is, amended so as to read as follows :

A. A. 1884, § 3,
18 Stat. 748,
amended.

SECTION 3. That as evidence of such loan or loans, the said County Commissioners are hereby authorized, empowered and directed to issue a certificate or certificates of indebtedness, bond or bonds, note or notes, or other instrument or instruments of writing, showing the amount borrowed, the time of payment and the rate of interest ; which said certificate or certificates, bond or bonds, note or notes, or other instrument or instruments of writing, shall be signed by the County Commissioners, or a majority of them, attested by their Clerk and the seal of the County affixed, and when so signed, attested and sealed shall be conclusive of said indebtedness and valid and binding obligations upon said County. And the said County Commissioners may, from time to time, renew the same or issue other certificate or certificates of indebtedness, bond or bonds, note or notes, instrument or instruments of writing, at a rate of interest, payable annually, not exceeding ten per cent. per annum, until the said indebtedness for building Court House is fully paid.

Section 3 as
amended.

Certificates
or bonds to be
issued.

Renewals and
reissues.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

A. D. 1885. **AN ACT TO INCORPORATE "THE BROTHERHOOD OF THE
No. 150. SOUTH CAROLINA ANNUAL CONFERENCE."**

SEC. 1.—Incorporation. Name. Powers.

SEC. 2.—Rights.

SEC. 3.—Public Act. Duration.

Incorporation.	SECTION 1. <i>Be it enacted</i> by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That
Name.	A. M. Shipp, S. A. Weber, A. M. Chrietzberg, W. W. Duncan, W. T. Capers, R. P. Franks, William Martin, M. M. Brabham, J. B. Campbell, John O. Wilson, their associates and successors, be, and they are hereby, created and declared a body politic and corporate, under the name and style of "The Brotherhood of the South Carolina Annual Conference," and by their corporate
Powers.	name may sue and be sued, plead and be impleaded, in any Courts of this State or the United States; to have, use and keep a common seal, and the same at will to alter; to contract and be contracted with; buy, sell, acquire, hold and enjoy so much
Property.	real and personal estate as may be necessary for the purposes and objects of said Brotherhood, with power to lease, rent or convey the same, subject to such rules and by-laws of the said Brotherhood; may also adopt such by-laws and regulations as may be
By laws.	deemed proper, not repugnant to the laws of the land; and shall have power to receive any gift, grant, contract, devise or
Gifts and devises.	other donation, either by will, subscription or otherwise, of real estate or personal property, and may sell the same: <i>Provided</i> ,
Proviso.	The amount received from such sale be reinvested in securities for the benefit of the said Brotherhood.
Rights.	SEC. 2. That the said Brotherhood shall have succession of officers and members, and to have and enjoy every right and privilege incident to incorporation.
Public Act.	SEC. 3. That this Act shall be deemed a public Act, shall take effect from its passage, and shall continue in force for thirty
Duration.	years and until the final adjournment of the General Assembly meeting next thereafter.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

AN ACT TO PROVIDE FOR THE APPOINTMENT OF A STENOGRAPHER FOR THE THIRD AND FOURTH JUDICIAL CIRCUITS.

A. D. 1885.

No. 151.

SEC. 1.—Judges to appoint Stenographers. Their duties.

SEC. 2.—Copies to be furnished. Fees.

SEC. 3.—Salary for Third Circuit and how paid.

SEC. 4.—Salary for Fourth Circuit and how paid.

SEC. 5.—To go into effect immediately.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the resident Judge of the Third and Fourth Judicial Circuits, respectively, shall appoint a Stenographer for said Circuits, who shall be a sworn officer of the Circuit Court and shall be paid as is hereinafter provided. It shall be the duty of every Stenographer appointed for said Circuits, under the direction of the presiding Judge thereof, to take full stenographic notes of all proceedings, including the testimony, rulings and charge of the Court in every trial thereat; and in case the presiding Judge or the Solicitor of said Circuit shall require a transcript of said stenographic notes for use in criminal cases, said Stenographer shall furnish the same written out in full.

Judges to appoint Stenographer.

Duties.

SEC. 2. It shall be the duty of such Stenographer to furnish to any party to such trials, upon request, a copy of the evidence and proceedings taken by him in such trials, or such part thereof as may be required, on payment in advance on behalf of such party of three cents for every hundred words of the copy so furnished; any sum so paid by any party shall be considered a necessary disbursement in the taxation of costs.

Copies of evidence, &c.

Fees.

SEC. 3. That the Stenographer of the Third Circuit shall receive an annual salary of one thousand dollars, payable quarterly as follows: By the County of Sumter, four hundred dollars; by the County of Clarendon, two hundred dollars; by the County of Williamsburg, two hundred dollars; by the County of Georgetown, two hundred dollars. Said amounts to be paid quarterly by the Treasurers of said Counties upon the check of the Board of County Commissioners, who shall issue such check upon the production of a certificate of the presiding Judge that such Stenographer has performed his duties; said sums to be paid out of current County funds.

Salary for Third Circuit.

How paid.

SEC. 4. That the Stenographer of the Fourth Circuit shall receive an annual salary of one thousand dollars, to be paid as follows: By the County of Chesterfield, one hundred dollars;

Salary for Fourth Circuit.

A. D. 1885.

How paid.

When to take effect.

by the County of Marlboro, one hundred and fifty dollars ; by the County of Darlington, three hundred and twenty-five dollars ; by the County of Marion, three hundred and twenty-five dollars ; by the County of Horry, one hundred dollars. Said amounts to be paid quarterly by the Treasurer of said Counties upon the check of the Board of County Commissioners, who shall issue such check upon the production of a certificate of the presiding Judge that such Stenographer has performed his duties ; said sums to be paid out of current County funds.

SEC. 5. That this Act shall take effect immediately upon its passage.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

No. 152. AN ACT RELATING TO TRIAL JUSTICES FOR THE COUNTIES OF LAURENS, PICKENS, ABBEVILLE, GEORGETOWN, BERKELEY AND CHARLESTON.

SEC. 1.—Two additional Trial Justices for Laurens.

SEC. 2.—One at Due West, in Abbeville County.

SEC. 3.—Number in Pickens. Salaries, &c.

SEC. 4.—A. A. 1883, as to Trial Justice at McClellanville, repealed.

SEC. 5.—One additional for Georgetown.

Two additional for Laurens.

Residence.

One at Due West, in Abbeville.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That two additional Trial Justices for the County of Laurens shall be appointed in the manner now provided by law, one of whom shall have his residence at the Court House of said County and the other shall reside at Waterloo, in said County.

SEC. 2. That an additional Trial Justice be appointed for the County of Abbeville, to be located in Due West Township, outside of the town.

SEC. 3. That the Governor shall appoint, by and with the advice of and consent of the Senate, eight Trial Justices, if so many be necessary, for the County of Pickens, and they shall receive the following compensation, and none other, for all criminal business, to wit: The Trial Justices for Easley and Central Townships, each \$125 per annum; Liberty and Pickens Townships, each \$75 per annum; Hurricane, Dacusville, Pumpkintown and Eastatoe, each \$40 per annum, which shall be paid quarterly by the County Commissioners. Any Trial Justice who shall receive or demand any other fee or compensation for any criminal business shall be guilty of a misdemeanor. And all Acts and parts of Acts repugnant to, inconsistent with or supplied by this Section are hereby repealed.

A. D. 1885.

Number for
Pickens.

Salaries.

Penalty
for receiving
more.Repealing
clause.

SEC. 4. That Section 1 of an Act entitled An Act to amend Title VI, Chapter XVI, Part I, of the General Statutes, relating to Trial Justices in the Counties of Berkeley, Colleton, Lancaster, Union, Barnwell and Charleston, approved 22 December, 1883, be, and the same is hereby, repealed.

A. A. 1883, § 1.
18 Stat. 433, as
to Trial Justice
at McClellan
ville, repealed.

SEC. 5. That an additional Trial Justice be appointed for Georgetown County, to be located in School District No. 9, Upper Waccamaw.

Additional
for George-
town.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885. **AN ACT TO AMEND THE CHARTERS OF THE TOWNS OF TROY AND
No. 153. DONNARD'S, ABBEVILLE COUNTY.**

SEC. 1.—May imprison offenders in County Jail at cost of town.

SEC. 2.—Compounding for street work in Troy.

SEC. 3.—Public Act. Duration.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act the Town Councils of the Towns of Troy and Donnal'd's, Abbeville County, shall have power, in addition to the fines now authorized for offenses against the ordinances of said towns respectively, to impose the penalty of imprisonment in the town prison or in the County Jail for a period not exceeding thirty days, and the Sheriff of Abbeville County is hereby authorized and required to confine in the Jail of said County, at the expense of the said Town Councils respectively, persons committed by them for violation of the ordinances of said town.

May impose imprisonment.

Sheriff to imprison at cost of town.

Town Council of Troy may compound for street work.

Public Act.
Duration.

SEC. 2. That the Town Council of Troy shall have power to compound with persons liable to work on the streets and ways of said town for one year, in discharge of said liability, upon the payment on or before the fifteenth day of May of each year of one dollar for each person so liable.

SEC. 3. This Act shall be deemed a public Act and continue in force till repealed or amended.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.

JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO PROVIDE SALARIES FOR CERTAIN OFFICERS IN
 GEORGETOWN COUNTY IN LIEU OF ALL FEES AND COSTS. A. D. 1885.
 No. 154.

SEC. 1.—Annual salaries to County officers. Amounts.

SEC. 2.—Monthly returns of fees.

SEC. 3.—Salary of Trial Justice at Georgetown.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That hereafter there shall be paid to the Clerk of the Court and Register of Mesne Conveyance, the Probate Judge, and the Coroner of Georgetown County, by the County Treasurer, upon the order of the County Commissioners, annual salaries as follows: To the Clerk of Court and Register of Mesne Conveyance, eight hundred dollars; to the Judge of Probate, three hundred dollars; and to the Coroner, three hundred dollars; these salaries to be in lieu of all charges, costs and fees whatsoever. Annual salaries.

SEC. 2. The officers above named to make monthly returns under oath to the Treasurer of the County of the amounts received by them respectively for fees and costs, and pay the same to him for use of the County. To make monthly returns of fees.

SEC. 3. There shall be paid to each of the Trial Justices in the Town of Georgetown a salary of three hundred dollars, in lieu of all costs and fees in criminal cases. Salary of Trial Justice at Georgetown.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
 President of the Senate.
 JAMES SIMONS,
 Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
 Governor.

A. D. 1885. **AN ACT TO INCORPORATE THE TOWN OF MONCK'S CORNER, IN**
 No. 155. **THE COUNTY OF BERKELEY.**

SEC. 1.—Incorporation. Name. Limits. Powers.

SEC. 2.—Intendant and Wardens. Election.

SEC. 3.—Vacancies.

SEC. 4.—Powers of Town Council.

SEC. 5.—Taxes.

SEC. 6.—Repealing clause.

SEC. 7.—Public Act. Duration.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Incorporation. from and after the passage of this Act, all citizens of this State who have resided twelve months within the State and sixty days in the Town of Monck's Corner shall be deemed, and are hereby declared to be, a body politic and corporate, and shall hereafter

Name. be called and be known by the name of Monck's Corner; and

Limits. the corporate limits of the Town of Monck's Corner shall be, and are hereby declared to be, one-half mile in each direction from the Monck's Corner depot, on the Northeastern Railroad.

Powers. The said town shall have a common seal; may sue and be sued, implead and be impleaded, in any Court in this State; and may purchase, hold, possess and enjoy, in perpetuity or for any term of years, any estate, real, personal or mixed.

Intendant and Wardens. **SEC. 2.** That said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States and residents in the said town for sixty days immediately preceding their election, and who shall be elected by the qualified voters

Election. of the said town on the first Wednesday in March, 1886, and every year thereafter on the first Wednesday in March, ten days' public notice thereof being previously given; and that all qualified electors, who are citizens of this State, and also who shall

Electors. have resided in said town for sixty days immediately preceding the election, shall be entitled to vote for said Intendant and

First election. Wardens. For the purpose of holding the first election under this Act, the Clerk of the Court of Common Pleas of Berkeley County shall, at least ten days before such election, designate

Managers. three suitable persons in said town to act as Managers of Election; and that thereafter the Intendant and Wardens, for the time being, shall annually appoint Managers, at least ten days before such election, to conduct each ensuing election. That

Hours. the polls for said election shall be opened at 10 o'clock in the forenoon, and closed at 4 o'clock in the afternoon; and the

Managers of Election shall immediately thereafter count the **ballots** and declare the election.

A. D. 1885.

Declaration.
Vacancies.

SEC. 3. That in case a vacancy should occur in the office of **Intendant** or any of the **Wardens** by death, resignation or removal from the State or town, or from any other cause, an election shall be held by the appointment of the **Intendant** and **Warden** or **Wardens**, as the case may be, ten days' notice as **aforsaid** being given; and in case of sickness or temporary **absence** of the **Intendant**, the **Wardens** forming a **Council** shall be empowered to elect one of their number to act as **Intendant** during such sickness or absence.

SEC. 4. That the **Town Council** of **Monck's Corner** be, and they are hereby, authorized to appoint a **Marshal** or police force for the better security and regulation of the said town, and to pass such ordinances as they may deem expedient to define the duties, fix the compensation and impose fines and penalties for neglect of duties of said **Marshal** or police force, and generally to perform all acts necessary to effectuate the intention of this Act, and make and establish all rules and orders relative to said **Marshal** or police force not inconsistent with the laws of the State. The **Intendant**, duly elected and qualified, shall, during his term of office, be vested with all the powers of **Trial Justices** in this State in all matters touching the violation of any ordinances of the said town; and that the **Intendant** shall, as often as occasion may require, summon the **Wardens** to meet in **Council**, a majority of whom shall constitute a quorum for the transaction of business, and shall be known by the name of the **Town Council** of **Monck's Corner**; and they and their successors in office shall have power to appoint, from time to time, such persons to act as **Marshals** or **Constables** as they shall deem expedient, which officers shall have all the powers and privileges and be subject to all the penalties and regulations provided by law for **Constables** in this State; and the **Intendant** and **Wardens**, in **Council**, shall have power and authority, under their corporate seal, to ordain and establish all such rules and by-laws and ordinances respecting streets, ways, public wells and springs, markets and police of said **Town** of **Monck's Corner**, and for preserving peace, health and order and good government within the same, as they may deem expedient and proper, not inconsistent with nor repugnant to the laws of the State; and such by-laws and ordinances shall at all times be subject to revisal or repeal by the **General Assembly** of this State; and the said

Marshal and
his duties.Powers of
Trial Justice.Council meet-
ings.

Powers.

Streets,
markets, &c.

A. D. 1885. Fines.	Council may affix fines for offenses against such by-laws and ordinances, and appropriate the same to the use of said corporation; but no fines shall exceed thirty dollars, and the same to be collected as fines and penalties in Trial Justices' Courts.
Tax.	SEC. 5. That the said Council shall have the power to impose an annual tax on all real and personal property within the corporate limits of said town: <i>Provided</i> , Said tax does not exceed twenty-five cents on the one hundred dollars.
Limit	
Repealing clause.	SEC. 6. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.
Public Act.	SEC. 7. That this Act shall be deemed a public Act in all Courts of justice, and shall continue of force until repealed.
Duration.	

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

No. 156. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED AN ACT TO PROVIDE FOR DRAINAGE IN THE COUNTIES OF ANDERSON AND BEAUFORT," APPROVED 24 DECEMBER, 1879.

SEC. 1.—To include all streams in Abbeville.
SEC. 2.—Punishment to be an alternative.

A. A. 1879, § 1,
17 Stat. 152
amended, so as
to include all
streams in Ab-
beville.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to amend an Act entitled An Act to provide for drainage in the Counties of Anderson and Beaufort," approved 24th of December, 1879, be amended in Section 1 thereof by striking out "as far as relates to the streams and other tributaries that run into the Savannah River within the limits of Abbeville County, except Hard Labor Creek." So

that the provisions of said Act shall relate to all the streams in A. D. 1885.
Abbeville County.

SEC. 2. That Section 2 of said Act be amended on line six Punishment
thereof by striking out the words "or both," so that the pun- to be in alter-
ishment shall be in the alternative.

In the Senate House, the twenty-fourth day of December, in
the year of our Lord one thousand eight hundred and eighty-
five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND SECTION TEN (10) OF AN ACT ENTITLED No. 157.
"AN ACT TO INCORPORATE THE TOWN OF BARNWELL,"
APPROVED MARCH 1, 1878.

Amendment as to limit of rate of taxation.

Be it enacted by the Senate and House of Representa-
tives of the State of South Carolina, now met and sitting
in General Assembly, and by the authority of the same, That
Section ten (10) of an Act entitled "An Act to incorporate the A. A. 1878, § 10,
16 Stat. 1338,
Town of Barnwell," approved March 1, 1878, be, and the same amended.
is hereby, amended by striking out the word "ten," on the
second line of said Section, and inserting in lieu thereof the
words "twenty-five." So that the said Section as amended
shall read as follows:

SECTION 10. They shall have also power to impose an annual Section as
tax not exceeding twenty-five cents on every hundred dollars of amended.
the assessed value of real and personal estate lying within the Taxes.
corporate limits of said town, the real and personal estate of
churches and school associations excepted. The said Council
shall have power to enforce the payment of all taxes levied under
authority of this Act against the property and persons of all
defaulters to the same extent and in the same manner as is pro-
vided by law for the collection of general taxes, except that exe-
cutions to enforce the payment of the town taxes shall be issued Executions.

A. D. 1885.

Lien.

Imprisonment
in payment of
fines.

under the seal of the corporation and directed to the Town Marshal, or other person especially appointed by the Town Council to collect the same; and all property upon which a tax shall be levied is hereby declared and made liable for the payment thereof in preference to all other debts against the said property, except debts due to the State and County, which shall first be paid. All fines, forfeitures and penalties imposed by said Town Council may be enforced, or by an alternative of imprisonment and labor upon the public streets not exceeding as many days as there are dollars of the fine.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

No. 158. AN ACT TO INCORPORATE THE PALMETTO DIME SAVINGS INSTITUTION, OF CHARLESTON.

- SEC. 1.—Incorporation. Name and capital stock.
 SEC. 2.—Shares of stock.
 SEC. 3.—Banking and other powers.
 SEC. 4.—By-laws. Officers and employees.
 SEC. 5.—Directors. Limit to number of shares.
 SEC. 6.—Increase of capital stock.
 SEC. 7.—Deposits of married women and minors.
 SEC. 8.—Liability of Directors and stockholders.
 SEC. 9.—Public Act. Duration.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Francis L. McHugh, Alex. McLoy, Jacob Kruse, Benj. Feldman, F. W. Dawson, P. H. Kennedy, A. W. Eckel, T. A. Wilbur, Stephen Thomas, A. F. C. Cramer and John Hofling, together with such other persons as now are or may hereafter be associated with them, be, and they are hereby, constituted and made a body

corporate and politic, under and by the name of the Palmetto Dime Savings Institution, of Charleston, with a capital stock of thirty thousand dollars, which may be increased from time to time, at the will of the stockholders, to any amount not exceeding three hundred thousand dollars: *Provided*, That this Act shall not have the force of law until twenty thousand dollars have been paid in.

A. D. 1885.

Name and
capital stock.

SEC. 2. The capital stock of said corporation shall be divided into shares of one hundred dollars each.

Shares.

SEC. 3. The said corporation shall have power to receive money on deposit, to allow interest thereon, and to invest such deposits, their capital stock and other funds, in bank or other stocks, in bonds, notes, bills, choses in action and other securities, and in the bonds and stocks of this or any other State, or of the United States, or other safe securities, or to lend the same on promissory notes or other evidences of indebtedness, secured by pledge of such stocks or bonds at not more than eighty per cent. of their value, or in bonds secured by unencumbered real estate lying and being in the County of Charleston; and no part of the deposits shall be invested in any other manner or loaned upon any other securities than those mentioned. And the said corporation shall have power and authority to have, use and keep a common seal, and the same to alter at will; to sue and be sued, to plead and be impleaded, in any Court of this State, and to have and enjoy all and every right, privilege, power and franchise incident and belonging to incorporated bodies; and shall be capable of holding and disposing of its capital stock, and also of taking, holding, dividing, disbursing or investing the increase, profits or emoluments of its said capital stock, according to such regulations as it shall from time to time establish; and shall have the power to acquire, purchase, take and hold, in its corporate name, lands and real estate and personal property, and the same to demise, grant, sell, assign, exchange and convey in fee simple or for any lesser estate.

Banking
powers.

Loans.

Other powers.

Property
rights.

SEC. 4. That said corporation shall prescribe rules and regulations relative to deposits made, and shall be authorized to make such by-laws as may be deemed necessary for its conduct and government, and which are not repugnant to the laws of the land. It shall have such officers, agents and employees as shall be from time to time fixed by the by-laws, and as may be deemed necessary by the corporation; such officers, agents and employees to receive such compensation, and the business and property of

Rules and
by-laws.Officers and
employees.

A. D. 1885.

the corporation to be managed and disposed of, and the dividends and profits of the business of the corporation to be made and declared, in such manner as may be prescribed and regulated by said rules and by-laws; at all meetings of the stockholders each share shall entitle its holder to one vote, and absent stockholders may be represented by proxies—the persons holding such proxies to be themselves stockholders.

Vote of shares.

Directors.

Limit to number of shares.

Increase of capital stock.

Provisions respecting additional stock.

Deposits of married women and minors.

Liability of Directors and stockholders.

SEC. 5. No person shall be a Director in the said corporation unless he be a *bona fide* stockholder. The corporation shall be authorized to limit the number of shares which shall be held by any one person, and to alter and abolish such limit whenever they deem proper to do so.

SEC. 6. The said corporation shall have power and authority from time to time to increase their capital stock over and above the amount paid in as set forth in the first Section, whenever a majority of the stockholders, each share being entitled to one vote at a regular meeting, or the Board of Directors, by their authority, shall determine; and such additional stock shall be divided exactly among the stockholders in proportion to their shares in the amount of the capital stock at the time of said increase; but if any stockholder should not desire to take his or her share of such increase stock, the same shall be allotted among the remaining stockholders, or books may be opened for the purpose of obtaining additional subscribers to such increased stock, in such manner as the corporation shall deem expedient; and in no case shall the members who are unwilling to take their proportion in such increase of stock be assessed to contribute, or to make up such increase. Such additional stock shall be subject to all the provisions, restrictions and conditions as are provided by this Act, and such additional subscribers shall thereby become members of this corporation and be subject in like manner, in proportion to their interests, to all the liabilities, responsibilities and conditions imposed upon the members of the same.

SEC. 7. When any deposit is made by a person who is a married woman or minor, the said corporation may pay to such person such sum or sums so deposited, on the order or receipt of such married woman or minor, and said order or receipt shall be lawful quit claim, and shall discharge thereof.

SEC. 8. The liability of Directors and stockholders shall be that now fixed by the laws of this State regulating the liability

of Directors and stockholders of companies chartered by the General Assembly. A. D. 1885.

SEC. 9. This Act shall be deemed a public Act, and shall continue of force for thirty years, and until the final adjournment of the General Assembly meeting next thereafter. Public Act.
Duration.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO EXEMPT CERTAIN PORTIONS OF WILLIAMSBURG No. 159.
COUNTY FROM THE OPERATIONS OF CHAPTER XXVII OF
THE GENERAL STATUTES, RELATING TO THE STOCK LAW.

SEC. 1.—Certain portions exempt on completion of fences.
SEC. 2.—Length of time the exemption shall continue.
SEC. 3.—Section exempted.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That those portions of the County of Williamsburg, with the boundaries hereinafter described, shall, upon the completion of the enclosing fences, be exempt from the operations of Chapter XXVII of the General Statutes, relating to the Stock Law. Exemption on
completion of
fence.

SEC. 2. That said sections shall be exempt as long as the fences aforesaid are kept in good repair, five feet high, and staked and ridged. How long to
continue.

SEC. 3. That the sections thus exempted are as follows: All that section of King's Township bounded on the East by a line of fencing already completed, on the South by Black River, on the West by Boggy Swamp, and on the North by a line of fencing connecting the farm fences of R. B. McClary, W. N. Fluitt, estate of J. C. McClary, R. F. McCottry and S. J. Tharpe, and Section ex-
empted.

A. D. 1885.

thence to connect with the Eastern boundary just South of the residence of John E. Scott. Also, all of that portion of Turkey and Mingo Townships which has been fenced off from the rest of said County.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

No. 160. AN ACT FIXING THE COMPENSATION OF THE COUNTY TREASURER OF LANCASTER.

SEC. 1.—Commissions allowed. Limit.

SEC. 2.—Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Commissions. from and after the passage of this Act the County Treasurer for Lancaster County shall receive as his compensation the following commissions upon all taxes collected by him, to wit: Four per cent. upon the first ten thousand dollars, three per cent. upon the next ten thousand dollars, two per cent. upon the next ten thousand dollars, and one per cent. upon all sums collected over thirty thousand dollars: *Provided*, The same shall

Limit. not exceed the sum of one thousand dollars or be less than seven hundred dollars per annum.

Repealing
clause.

SEC. 2. That so much of all Acts or parts of Acts as are inconsistent with this Act be, and the same are hereby, repealed.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

AN ACT TO INCORPORATE THE ABBEVILLE MUTUAL INSURANCE
COMPANY, OF ABBEVILLE.

A. D. 1885.

No. 161.

SEC. 1.—Incorporation. Name.

SEC. 2.—Members.

SEC. 3.—Commencement and dissolution of corporation.

SEC. 4.—Powers. Directors and officers.

SEC. 5.—Property rights.

SEC. 6.—Policies. Loans. Liability of members.

SEC. 7.—Assessment to pay losses. Defaulters.

SEC. 8.—Elections.

SEC. 9.—Public Act. Duration.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. H. Parker, J. E. Bradley, R. R. Hemphill, E. G. Graydon, M. L. Bonham, Jr., E. B. Gary, S. C. Cason, O. T. Calhoun, L. W. Smith, W. O. Bradley, L. W. White, W. Joel Smith, J. F. Miller, F. M. Pope, J. K. Durst, W. R. Powell, with such other persons as are or may be hereafter associated with them, be, and they are hereby, declared a body politic and corporate, under the name and style of "The Abbeville Mutual Insurance Company."

SEC. 2. That every person insured in this company shall be deemed a member thereof during the continuance of such insurance.

SEC. 3. That so soon as one hundred persons shall sign their names to an agreement to become insured by the said company, the same shall go into operation; but if at any time thereafter the members amount to less than fifty, the said company shall immediately cease and determine.

SEC. 4. That the said company under its name shall have succession of officers and members, and all the powers, privileges and franchises incident to a corporation, and shall be capable of taking, holding and disposing of their capital stock according to such rules, regulations and institutions as they may from time to time establish; and also of taking, holding and disposing of, or investing, as the said corporation shall from time to time judge fit, the increase, profit or emoluments of their said capital stock to their own use; and shall have full power and authority to make, have and use a common seal, and the same to break, alter and renew at will; and by the name, style and title as aforesaid shall be able and capable at law or in equity to sue and be sued, implead and be impleaded, answer and be answered

- A. D. 1985.** unto, in all and any of the Courts and tribunals of this State, in all manner of suits, pleas and demands whatsoever; and they are hereby authorized and empowered to appoint a Board of
- Directors and officers.** Directors, to consist of a President, a Secretary and Treasurer and ten Directors, at such periods and with such duties as they shall see fit, and also to make rules, by-laws and ordinances and do everything needful for the good government and support of the affairs of the said corporation, and for restoring their capital when diminished by losses: *Provided, always,* That the said rules, by laws and ordinances shall not be repugnant to the Constitution and laws of this State.
- Property rights.** SEC. 5. That the said corporation shall have a right and power to purchase and acquire, take and hold, in their said corporate name, lands and real estate, and the same to demise, grant, sell, lease, assign and convey in fee simple or otherwise: *Provided,*
- Limit.** The clear yearly income of the real estate so to be held shall not at any time exceed ten thousand dollars.
- Policies of fire insurance.** SEC. 6. That the said corporation shall, by their said name and by the signature of their President for the time being, or by the signature of such other person or persons and with such ceremonies of authenticity as they shall, from time to time, and by their rules and by-laws, ordain and appoint, have a right to make contracts and underwrite policies of insurance, and indemnify against loss by fire on all buildings, goods, wares, merchandise and other property liable to destruction or accident by or from fire, or the effects thereof, situate, lying, being or deposited within the limits of Abbeville County; to lend money on the security of real and personal property, or either, or on bonds, bills or promissory notes, and generally to transact and perform all the business relating to the objects aforesaid, according to the usage and custom of merchants, and by such contracts to
- Liability of members.** bind and pledge their said members, each according to his or her rate of insurance and amount insured, according to their rules and regulations established and prescribed.
- Assessment to pay losses.** SEC. 7. That in case any accident occurs and the damage has been ascertained, it shall and may be lawful to and for the said Board of Directors, if they shall deem the same necessary, to assess all the members according to the amount of their insurance, one month's public notice first to be given, within which period the same shall be paid to the Treasurer. And if the assessment of any member be not paid within the time fixed as
- Defaulters.** aforesaid, the said company may recover from said defaulting

member the amount of his or her assessment, with interest thereon from the date of such assessment.

A. D. 1885.

SEC. 8. That in all elections in the said company, each member thereof shall be entitled to one vote. And all elections shall be conducted by ballot.

Elections.

SEC. 9. This Act shall be deemed a public Act, and be of force for the period of twenty-one years.

Public Act.
Duration.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO INCORPORATE THE TOWN OF GLENN SPRINGS.

No. 162.

- SEC. 1.—Incorporation. Name and limits.
- SEC. 2.—Intendant and Wardens, and their election.
- SEC. 3.—Appointment of Managers.
- SEC. 4.—Vacancies.
- SEC. 5.—Powers of Intendant and Wardens.
- SEC. 6.—Nuisances. Public duty,
- SEC. 7.—Streets and ways.
- SEC. 8.—Compounding for street duty.
- SEC. 9.—Property rights.
- SEC. 10.—Taxes.
- SEC. 11.—Auction sales.
- SEC. 12.—Sidewalks.
- SEC. 13.—Sale of liquor prohibited.
- SEC. 14.—Public Act. Duration.
- SEC. 15.—To take effect immediately.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all citizens of the United States and of the State, who have resided one year in this State and sixty days in the Town of Glenn Springs, shall be deemed, and are hereby declared, a body politic and corporate, and the said town shall be called and known by the name of Glenn

Incorporation.

Name and
limits.

- A. D. 1885.** Springs, and its corporate limits shall extend one mile from **R. A. Cates'** store in every direction.
- Intendant and Wardens.** SEC. 2. That the said town shall be governed by an **Intendant** and four **Wardens**, who shall be elected on the second **Monday** in February, 1886, and on the second 'Monday in February of every year thereafter an election shall be held for an **Intendant** and four **Wardens**, who shall be citizens of the **United States** and of this State, and shall have been residents of said town for sixty days immediately preceding such election, at such place in said town as the **Intendant** and **Wardens** shall designate, ten days' notice thereof in writing being previously given; and that all the male inhabitants of said town of the age of twenty-one years, citizens of the **United States** and of this State, and who shall have resided one year in this State, and in the said town for sixty days next preceding the election, paupers and persons under disability for crime excepted, shall be entitled to vote for said **Intendant** and **Wardens**, and the election shall be held from seven o'clock in the morning until six o'clock in the evening, when the polls shall be closed and the **Managers** shall count the votes and proclaim the election and give notice thereof to the persons elected; and that the **Intendant** and **Wardens** for the time being shall appoint **Managers** to hold the ensuing election; that the **Intendant** and **Wardens** before entering upon the duties of their offices shall take the oath prescribed by the Constitution of the State, and the following oath, to wit: "As **Intendant** (or **Warden**) of the Town of Glenn Springs. I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect, according to law, the purposes of my appointment: So help me God."
- Hours.**
- Declaration of result and notice.**
- Managers.**
- Oaths.**
- Managers, by whom appointed.** SEC. 3. That for the purpose of holding the first election under this Act, the Clerk of the Court of Common Pleas of Spartanburg County shall designate three suitable persons, citizens of said town, to act as **Managers** of said election; and the **Intendant** and **Wardens** for the time being shall annually appoint **Managers** to conduct ensuing elections.
- Vacancies.** SEC. 4. That in case a vacancy shall occur in the office of the **Intendant** or any of the **Wardens** by death, resignation, removal from the State or from any other cause, an election shall be held by appointment of the **Intendant** and **Wardens**, or by the **Wardens**, as the case may be, ten days' public notice thereof as aforesaid being given; and in case of sickness or temporary absence

of the Intendant, the Wardens forming a Council shall be empowered to elect one of themselves to act as Intendant during such sickness or absence.

A. D. 1885.

SEC. 5. That the Intendant and Wardens duly elected and qualified shall, during their term of office, as a body and individually, be vested with all the powers of Trial Justices in this State, to try and punish all persons charged with the violation of any of the ordinances of said town; that the Intendant shall, as often as occasion may require, summons the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of business, and shall be known as the Town Council of Glenn Springs; and they and their successors in office may have a common seal; and shall have power and authority to appoint from time to time such and so many persons to act as Marshals and Constables as they shall deem expedient and proper; and the Intendant and Wardens in Council shall have power and authority, under their corporate seal, to ordain and establish all such rules, by-laws and ordinances respecting the streets, ways, public wells, markets and police of said town, and for preserving health, peace, order and good government within the same, as they may deem expedient and proper; and the said Council may punish offenses against such by-laws and ordinances by fine or imprisonment: *Provided*, They shall not have the right to imprison for any offense for a longer time than thirty days, nor to impose any fine greater than (\$50.00) fifty dollars. All fines may be collected by an action for debt before a proper tribunal, and shall be appropriated to the use of the corporation.

Powers of Trial Justice.

Council meetings.

Powers.

Marshals.

By-laws and ordinances.

Offenses.

Limit of imprisonment and fines.

SEC. 6. That the said Council shall have power to abate or remove nuisances from within the limits of the town, and also to classify and arrange the inhabitants liable to public duty and enforce the performance of the same, under the same penalties as are now or may hereafter be established by law: *Provided always, nevertheless*, That the said Town Council shall have power to compound with the persons liable to perform such duty, under such terms as they shall by ordinance establish.

Nuisances.

Public duty.

Compounding.

SEC. 7. That it shall be the duty of the Intendant and Wardens to keep all streets and ways in the limits of said town open and in good order, and for that purpose they are hereby invested with all the powers and privileges granted by law to the County Commissioners within the limits of said town, and for the neglect of duty they shall be liable to the same pains and penalties

Streets and ways.

- A.D. 1885.** imposed by law upon County Commissioners for like neglect: and they are hereby individually exempt from the performance of road duty; and the inhabitants of said town are hereby exempt from road duty without the limits of the corporation.
- Exemption.**
- Compound-
ing for street
duty.** SEC. 8. That the said Intendant and Wardens shall have power to compound with persons liable to work on the said streets and ways, and to release such persons as may desire it upon the payment of such sum of money as they may deem a fair equivalent therefor, to be applied by them to the use of the corporation.
- Property
rights.** SEC. 9. That the said Town Council of Glenn Springs shall also be empowered to retain, possess and enjoy all such property as they may be possessed of or entitled to, or which shall hereafter be given, bequeathed to or in any manner acquired by them, and to sell, alien or in any way transfer the same or any part thereof: *Provided*, The amount of property so held or stock invested shall in no case exceed the sum of twenty thousand dollars.
- Limit.**
- Taxes.** SEC. 10. That the said Town Council shall have power to impose an annual tax upon all real and personal property within the limits of said town: *Provided*, Said tax does not exceed the sum of fifteen cents on the one hundred dollars.
- Limit.**
- Auction sales.** SEC. 11. That the Intendant and Wardens of the Town of Glenn Springs shall have power to regulate sales at auction within the limits of said town and grant licenses to auctioneers: *Provided*, That nothing herein contained shall extend to sales by or for Sheriffs, Clerks of Court, Judges of Probate, Coroners, executors, administrators, assignees, or by any other person under the order of any Court or Magistrate.
- Exceptions.**
- Sidewalks.** SEC. 12. That the Intendant and Wardens shall have power and authority to require all persons owning a lot or lots in said Town of Glenn Springs to keep in repair the sidewalks adjacent to their lots respectively, and for default in this matter shall have power and authority to impose a fine not exceeding ten dollars.
- Sale of liquor
prohibited.** SEC. 13. That the sale or vending of any spirituous, malt or intoxicating liquors in any quantity whatever within the corporate limits of the said town is hereby prohibited, and the said Town Council shall have no power or authority to grant a license for that purpose.
- Public Act.** SEC. 14. That this Act shall be deemed a public Act and shall
- Duration.** continue in force until amended or repealed.

SEC. 15. This Act shall take effect from the date of its approval.

A. D. 1885.

When to take effect.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND SECTION 1074 OF THE GENERAL STATUTES, No. 163.
RELATING TO INJURIES TO PUBLIC HIGHWAYS.

Amendment as to injury to roads, bridges, &c.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1074 of the General Statutes of this State be amended, so as to read as follows:

Gen. Stat.
§ 1074, amended.

Section as amended.
Penalties for injury to roads, bridges, &c.

SECTION 1074. If any person shall willfully destroy, injure, or in any manner hurt, damage, impair or obstruct any of the public highways, or any part thereof, or any bridge, culvert, drain, ditch, causeway, embankment, wall, toll gate, toll house, or other erection belonging thereto, or any part thereof, the person so offending shall, upon conviction thereof, be imprisoned not more than six months, or pay a fine not exceeding five hundred dollars, or both, at the discretion of the Court, and shall be further liable to pay all the expense of repairing the same.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885. **AN ACT PROVIDING FOR THE SAFE KEEPING OF THE REGISTRATION BOOKS AND REPLACING SUCH AS HAVE BEEN DEFACED OR INJURED.**
 No. 164.

SEC. 1.—Depository of registration books. Removal.

SEC. 2.—Provision for additional books. Copying.

SEC. 3.—Appropriation for books.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from the passage of this Act it shall be the duty of the Supervisors of Election to deposit the registration books in the office of the Clerk of the Court of Common Pleas in their respective Counties, except in the Counties of Charleston and Greenville, in which Counties they shall be deposited in the office of the Register of Mesne Conveyance; and it shall be the duty of the Clerk of said Court and the Register of Mesne Conveyance to safely keep the same together with the other books of record in their respective offices; and it shall be unlawful for any person or persons to remove the same from the said offices, except the Supervisors in the discharge of the duties of their offices, who are hereby authorized to take the same from the said offices when it shall be necessary in the discharge of the duties imposed upon them by Sections ninety-three and one hundred and five of the General Statutes.

SEC. 2. The Secretary of State is hereby authorized and required to provide additional registration books to supply the place of such as have become defaced and injured by use at the elections heretofore had, and he shall furnish the same upon application of any Supervisors certifying to the necessity thereof. And in such case, the Supervisor so procuring such additional registration books shall copy from the book so injured and defaced the names and record thereof into the new book, and when the same shall be so copied it is hereby made the duty of the County Auditor, and Clerk of the Court of Common Pleas of the several Counties, together with the Supervisor, carefully to compare the names and record in the new book with those in the book so injured or defaced, and if the same is found correct to certify to its correctness, and such new book shall not be used at any election unless so certified.

SEC. 3. That the sum of one thousand (\$1,000) dollars, if so much be necessary, is hereby appropriated for the purchase and supply of such additional books of registration.

A. D. 1885.

Appropriation
for books.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO PRESCRIBE AND REGULATE THE INTRODUCTION IN No. 165.
THE GENERAL ASSEMBLY OF MEASURES RELATING TO PRIVATE INTERESTS, AND THE CONDUCT OF THE SAME IN THE PROGRESS THEREOF.

SEC. 1.—Measures to be introduced by petition, with draft. Reference.

SEC. 2.—Matters to be stated in the petition.

SEC. 3.—Application for railroad, &c., to state route, &c. Map. Notice.

SEC. 4.—In other cases, merits and particulars. Rights of others. Notice.

SEC. 5.—Claims for money to be approved by Comptroller General.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That no Bill to charter or incorporate any society, company, organization, or body politic of any kind, or to amend the charter of any such, or for the granting of any privilege, immunity, or for any other private purpose whatsoever, shall be introduced or entertained in either House of the General Assembly, except by petition, to be signed by the person or persons seeking to be incorporated, or by the incorporators or their officers, or duly appointed agents, seeking an amendment of a charter, or by the person or persons seeking such privilege, immunity or other private grant or relief; which petition shall be accompanied in each instance by a draft of a Bill or Joint Resolution, as the case may be, to charter or incorporate such society, organization or body politic, or to amend the charter thereof, or to grant the

Bills and
Joint Resolutions to be
introduced by
petition.

To be accompanied by draft
of Bill or Joint
Resolution.

A. D. 1895.

To be referred
to Committee.

privilege or immunity, or to carry out the private purpose prayed for in said petition; and the said petition, together with the said draft of the Bill, shall in each case be referred to some appropriate Committee of the House in which such petition is presented, to be acted upon by such Committee as hereafter provided.

Matters to be
stated.

SEC. 2. In case of an application for a charter or incorporation, other than of a railroad or canal company, the petition shall state and set forth why the same cannot be obtained under the provisions of the General Statutes, in pursuance of the Constitution, relating to incorporations, and any other special reasons on which such charter or incorporation is sought.

Application
for railroads,
canals, &c., to
state route.

SEC. 3. In case of an application for the charter or incorporation of a railroad, canal, tramway, plank road or turnpike company, and the grant of the right of way therefor, in addition to the foregoing requirements of other charters or incorporations, the petition shall set forth and describe approximately the route proposed for the said projected road, and state where the said route will cross any existing railroad or in the course of construction, and the said petition shall also be accompanied by a plat or map delineating the same: *Provided*, That in case of a railroad charter, the three months' notice required by law shall be given before the application for a charter is made.

Other roads to
be crossed.

Map.

Three months'
notice.

In other cases,
merits and
particulars.

SEC. 4. In any case other than that of a charter or incorporation, the petition shall set forth fully and distinctly the merits and particulars of the case, and if the same shall in any wise affect the rights of others directly who reside in this State, such petition shall be accompanied with proof that the parties, so far as known, who may be affected merely, have had sixty (60) days' notice of the presentation of such petition before such petition is presented, and also that notice of the intention of the petitioner or petitioners to make such application has been published in a newspaper having the largest circulation published in the County where the privilege or immunity is to be enjoyed, once a week for at least three weeks, the first of which particulars shall be at least sixty (60) days before such publication is presented.

Rights of
others.

Notice.

Claims for
money.

SEC. 5. All claims for the refunding of overpaid taxes, or for repayment for services rendered or supplies furnished the State or any County, or for the payment of money on any account whatsoever, requiring the action of the General Assembly, shall be presented by petition, fully setting forth the facts upon which

such claim is based, together with the evidence thereof, which petition shall be filed in the office of the Comptroller General forty days before the meeting of the General Assembly, and it shall be the duty of the Comptroller General to examine each such claim so presented and to report on the same during the first week of the meeting of the General Assembly, recommending payment in whole or in part, or rejection, in each instance, or in his judgment justice shall require, which report shall be acted upon as the two Houses, by joint rule, shall provide. No claim for the payment of money shall be introduced into either House, except as herein provided.

A. D. 1885.

Approval of
Comptroller
General.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND AN ACT ENTITLED AN ACT TO INCORPORATE No. 166.
THE SOUTH CAROLINA AGRICULTURAL AND MECHANICAL
SOCIETY.

Name of the Company changed.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the South Carolina Agricultural and Mechanical Society," approved February 22nd, 1873, be, and the same is hereby, amended by striking out the words "South Carolina Agricultural and Mechanical Society" wherever the same occurs in the title and body of said Act, and inserting in lieu thereof the words "State Agricultural and

A. A. 1873, 15
Stat. 375,
amended.Change of
name.

A. D. 1885.

Mechanical Society of South Carolina," so that from and after the passage of this Act the corporate name of said Society shall be the "State Agricultural and Mechanical Society of South Carolina."

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

No. 167. AN ACT TO INCORPORATE THE OAKWOOD CEMETERY COMPANY.

SEC. 1.—Incorporation. Name. Powers.
SEC. 2.—Cemetery and burial lots.
SEC. 3.—Directors and other officers.
SEC. 4.—Penalty for injuring tombs, fences, &c.
SEC. 5.—Capital stock. Shares.
SEC. 6.—Liability of stockholders.
SEC. 7.—Exempt from taxation.

Incorporation. SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That W. C. Cannon, J. A. Lee, Geo. W. Nicholls, Geo. Cofield, W. K. Blake, John Geddes, George R. Dean and H. E. Heintish, and their associates and successors, be, and they are hereby, made a body politic and corporate, under the name and style of the Oakwood Cemetery Company, and by that name shall have the right to sue and be sued, to contract and be contracted with, to purchase, hold and dispose of property of any kind, to have and use a common seal, and to have generally all the other rights, powers and privileges usually incident to corporations of like nature.

Cemetery and burial lots.

SEC. 2. That the said corporation shall have power to lay out and ornament any grounds that they may become possessed of in the County of Spartanburg, and to arrange and dispose of, upon such terms as may be agreed upon between said corpora-

tion and any stockholder therein, or any other person, burial lots therein; and to make such by-laws, rules and regulations for the government of lot holders and visitors to said cemetery and for the management of the affairs of the company generally as from time to time they may deem necessary: *Provided*, That the lots so to be granted shall be held by the proprietors for the purposes of sepulture alone.

A. D. 1885.

For sepulture only.

SEC. 3. That the affairs of the said corporation shall be under the control and direction of fifteen Directors, who shall be elected by the stockholders of said corporation at their first meeting, and shall hold office for such time as the stockholders at said meeting shall fix. Said Directors shall have the right to elect a President, Secretary and Treasurer and such other officers as they may deem necessary.

Directions.

Other officers.

SEC. 4. That any person who shall willfully mutilate, destroy, remove or in any manner injure any tomb, monument, gravestone or other structure placed in the grounds of the said cemetery company, or any fence, railing or other work for the protection of any tomb, monument, gravestone or other structure aforesaid, shall be deemed guilty of a misdemeanor, and, on conviction thereof before any Court of General Sessions, shall be punished by a fine of not more than one hundred dollars, or imprisonment not for more than six months, or both, according to the aggravation of the offense.

Penalties for injuring tombs, fences, &c.

SEC. 5. The capital stock of said corporation shall not exceed twenty-five thousand dollars. The shares therein shall be twelve dollars each, and each share shall entitle the holder thereof to one vote in the stockholders' meeting.

Capital stock.
Shares.

SEC. 6. That the liability of the stockholders of said corporation shall be in accordance with Section 1362 of the General Statutes of this State and all amendments to the same.

Liability of stockholders.

SEC. 7. That the cemetery grounds of said corporation and all its other property thereon shall be exempt from taxation.

Exempt from taxation.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

A. D. 1885. **AN ACT TO AMEND SECTION 1830 OF THE GENERAL STATUTES,**
IN RELATION TO PARTITION.
 No. 168.

Amendment of law regulating proceedings in partition.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1830 of the General Statutes of the said State be, and hereby is, amended so as to read as follows :

Gen. Stat.
 § 1830, amended.

Section as amended
 Jurisdiction of Common Pleas.

Sale and division.

Writs of partition.
 Commissioners.

Oath.
 Duties.

Special return.

Powers of the Court to vest in one or more.

SECTION 1830. The Court of Common Pleas has jurisdiction in all cases to make partition in kind of real and personal estates held in joint tenancy or in common, or by allotment to one or more of the parties, upon their accounting to the other parties in interest for their respective shares ; or in case partition in kind or by allotment cannot be fairly and impartially made, and without injury to any of the parties in interest, by the sale of the property and the division of the proceeds according to the rights of the parties.

Writs of partition shall be issued and directed to five persons, two of whom shall be nominated by the plaintiff and two by the defendant, and a fifth by the officer issuing the same, and in cases when the defendant fails to appear or answer the plaintiff shall nominate three persons, and the officer two, commanding them, or a majority of them, within one month thereafter (being first duly sworn for that purpose) fairly and impartially, according to the best of their judgment, to make partition of the premises described in the complaint among the parties entitled thereto, according to their several rights ; and when the estate or property cannot, in the opinion of the Commissioners, be fairly and equally divided between the parties interested therein without manifest injury to them, or some or one of them, then they shall make a special return of the whole property and the value thereof, truly appraised, and certify their opinion to the Court whether it will be most for the benefit of all parties to deliver over to one or more of the parties interested therein the property which cannot be fairly divided, upon the payment of a sum of money to be assessed by the said Commissioners, or to sell the same at public auction, and the Court shall proceed to consider and determine the same ; and if it shall appear to the Court that it will be for the benefit of all parties interested in the said estate or property that the same should be vested in one or more of the persons entitled to a portion of the same, on the

payment of a sum of money assessed as aforesaid, the Court shall determine accordingly, and the said person or persons, on the payment of the consideration money, shall be vested with the estate so adjudged to such person or persons. But if it shall appear to the Court that it would be more for the interest of the parties interested in said estate or property that the same should be sold, and the proceeds of sale be divided among them, then the Court shall direct a sale to be made, on such terms as to the Court shall seem right.

A. D. 1885.

Or to order sale.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AUTHORIZE AND DIRECT THE COUNTY TREASURER OF BERKELEY COUNTY TO REBATE FROM THE TAXES FOR THE FISCAL YEAR 1885 CERTAIN PAYMENTS IN EXCESS OF THE TAXES FOR 1884 MADE BY CERTAIN PARTIES. No. 169.

SEC. 1.—Certain tax receipts receivable for taxes.

SEC. 2.—Appropriation of unexpended balance.

Whereas under an Act entitled "An Act to provide for the exemption of certain portions of Berkeley and Charleston Counties from the operations of Part I, Title X, Chapter XXVII, of the General Statutes, relating to the General Stock Law and fencing stock," approved December 26, 1884, a tax was levied upon all live stock returned and taxable within certain districts in the said Act described. And whereas by its own limitations the said Act on November 1, 1885, became of no effect and void. And whereas before said date certain owners of stock liable for taxation under the said Act had paid their taxes so levied thereupon:

Preambles.

18 Stat. 916.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

Certain tax receipts receivable for taxes.

A. D. 1885.

in General Assembly, and by the authority of the same, That the County Treasurer of Berkeley County be, and he is hereby, authorized and directed, in the collection of taxes for the fiscal year of 1885, to accept and receive the tax receipt of the persons who may have paid such special tax on account of their County taxes for said fiscal year of 1885, to the amount of such special tax paid by such person, and to credit such amount so received to such account in the County funds as may to him seem best.

Appropriation
of unexpended
balance.

SEC. 2. That the said County Treasurer is hereby authorized and directed to transfer and set over the amount which may still be in his hands from said special levy to the account of County taxes for the fiscal year 1885, which may be credited as aforesaid.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

No. 170. AN ACT TO AMEND SECTION SIX (6) OF AN ACT ENTITLED
"AN ACT TO INCORPORATE THE EDISTO RIVER BOAT
COMPANY."

Change of places between which exclusive rights of transportation are given.

A. A. 1883, § 6,
18 Stat 521, as
to exclusive
rights of trans-
portation,
amended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section six (6) of an Act entitled "An Act to incorporate the Edisto Boat Company" be, and the same is hereby, amended by inserting on the third line thereof, after the word "Bridge," the words "on North Edisto," and on the fourth line thereof after the word "Counties" by inserting the words "and from Davis's Bridge on South Edisto in Aiken County." So that said Section as amended will read as follows:

“SECTION 6. That the said company shall at all times have the exclusive right of transportation of passengers, goods, merchandise of all kinds, up and down the Edisto River, from Harsey’s Bridge on North Edisto, in Lexington and Aiken Counties, and from Davis’s Bridge on South Edisto, in Aiken County, to Ashley River: *Provided*, The charge for the transportation of goods, produce, &c., shall not exceed the rates charged by the boat companies of this State: *Provided, also*, The said company may rent all or any part of their exclusive right of transportation above secured to any individual or other company, subject to the restriction of the above proviso.”

A. D. 1885.

Section as amended.

Rates of freight.

Right to rent

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO INCORPORATE HENRY TRAMWAY COMPANY, IN No. 171.
ABBEVILLE COUNTY.

SEC. 1.—Incorporation. Name. Powers.

SEC. 2.—Route. How laid and operated.

SEC. 3.—Capital stock. Subscriptions. Bonds and mortgages.

SEC. 4.—Land and right of way.

SEC. 5.—Right of transportation. Trespassers. Injury to road.

SEC. 6.—Public Act. Duration.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of constructing a tram road from Due West to Donald’s, in Abbeville County, Dr. N. Henry, Henry P. McGee, Rev. W. M. Grier, J. H. Miller, John B. Bonner and Rev. W. F. Pearson, and their associates, successors and assigns, are hereby created a body politic and corporate, under the corporate name of the “Henry Tramway Company,” and by such title shall have a corporate existence for the term of thirty years ;

Incorporation.

Name and time of charter

- A. D. 1885.** and may sue and be sued, plead and be impleaded, in every proper Court of the State of South Carolina; and may have and use a common seal, which it may change and alter at pleasure; and shall be capable of purchasing, holding, using, leasing and conveying estates, real and personal and mixed, and other property, and of acquiring the same by gift or devise; and may make all necessary by-laws and regulations for its government not inconsistent with the laws of the State of South Carolina.
- Powers.**
- Route of tramway.** SEC. 2. That the said company be, and is hereby, authorized and empowered to construct, maintain and operate a tramway extending from the Town of Due West to the Town of Donald's in Abbeville County, by such route as shall be found most convenient, suitable and advantageous, and with the privilege of extending the same to any point in Abbeville County: *Provided*, That the said line and branches may be laid with wooden or iron rails, and may be run by horse or steam power.
- How laid and operated.**
- Capital stock.** SEC. 3. That the capital stock of said company shall be five thousand dollars, with the privilege of increasing the said capital stock to ten thousand dollars, if necessary to carry out the intentions and purposes of this Act; and the shares shall be personal property, transferable in such manner as the by-laws may direct. And for the purpose of raising such capital stock it shall be lawful to open books of subscription at such times and places and under the direction of such persons as the said company may determine; and that the said subscription to the capital stock may be made in money, bonds, land, materials and work, at such rates as may be agreed upon with the said company. And the said tramway company shall have the power to mortgage its property and franchises and issue bonds, on such terms and conditions and for such purposes and uses of said corporation as the President and Board of Directors may deem necessary.
- Shares.**
- Books of subscription.**
- Character of subscriptions.**
- Bonds and mortgages.**
- Lands and right of way.** SEC. 4. That for the purpose of acquiring such lands or right of way as they may require for the location and construction of the said tramway or branches, or for the erection or location of depots, warehouses, stations and other necessary establishments, or for extending or altering the same, the said company shall have the use and benefit of every process or proceeding provided by law for enabling any railroad company in the State to obtain such lands or right of way as it may require in cases in which the consent of the owners cannot be obtained.

SEC. 5. That the said company shall have the same exclusive right of transportation on their way and branches which is possessed and enjoyed by any railway in the State, and persons intruding or trespassing upon the said tramway or branches shall be liable to all the penalties provided by law for the prevention of trespasses or intrusions upon any railway; and any person who shall willfully destroy, damage or obstruct the said way, or any branch or part thereof, shall be liable to all the penalties to which persons willfully destroying, damaging or obstructing any railroad are made liable by any law of the State.

A. D. 1885.
Right of transportation.
Trespassers.
Injury to road.

SEC. 6. This Act shall be deemed a public Act, and shall continue in force for a term of thirty years from its ratification as provided in Section one hereof.

Public Act.
Duration.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.

JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND "AN ACT TO ORGANIZE BOARDS OF HEALTH AND FOR THE BETTER PROTECTION OF THE PUBLIC HEALTH," APPROVED THE NINETEENTH DAY OF DECEMBER, A. D. 1883.

No. 172.

Local Boards to be appointed.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That "An Act to organize Boards of Health and for the better protection of the public health," approved the nineteenth day of December, A. D. 1883, be, and the same is hereby, amended by adding at the end of Section three (3) the following: and the State Board of Health, or the Executive Committee thereof, is authorized and empowered from time to time to appoint local Boards of Health

A. A. 1883, § 3,
18 Stat. 292,
amended.

Local Boards
in the country.

A. D. 1885. in the several Counties of the State outside of incorporated cities and towns, to act within certain limits within said County, designated by said State Board of Health, or the Executive Committee thereof, as the said State Board of Health, or the Executive Committee thereof, may consider necessary or expedient for the promotion of the public health. The local Boards of Health so appointed shall consist of not less than three (3) members, one of whom shall be a graduate of medicine in good standing, and shall serve for such length of time as shall be determined by the said State Board of Health or the Executive Committee thereof. And the local Board of Health so appointed shall perform all the duties and shall be duly vested with all the powers which have been and shall hereafter be vested or conferred by law in any and all local Boards of Health within this State.

Of whom to consist.

Powers and duties.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

No. 173. AN ACT TO INCORPORATE THE LAURENS BUILDING AND LOAN ASSOCIATION.

SEC. 1.—Incorporation. Name. Purposes. Capital stock.
SEC. 2.—By-laws. Powers.
SEC. 3.—Real estate.
SEC. 4.—Advances to members. Mortgages.
SEC. 5.—Loans to non-members. Interest.
SEC. 6.—Division and dissolution.
SEC. 7.—Liability of stockholders.
SEC. 8.—Public Act. To take effect immediately.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Incorporation. A. H. Martin, S. D. Garlington, N. J. Holmes, E. S. McKinley, L. S. Fuller, G. B. Anderson, I. D. Pitts, S. E. Irby, J. N. Wright, W. J. Hunter, together with such other persons who

are or may be hereafter associated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of making loans of money secured by mortgage on real or personal property, or by conveyance of the same, to their members and stockholders, by the name and style of "The Laurens Building and Loan Association." The capital stock of said association to consist of one thousand shares, but as soon as three hundred shares are subscribed thereto the said association shall have power to organize and commence operations; the said shares to be paid by successive monthly installments of one dollar on each share as long as the corporation shall continue; the shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines and forfeitures for default in their payments, according to such regulations as may be prescribed by the by-laws of said corporation.

SEC. 2. That the said corporation shall have power and authority to make any such rules and by-laws for its government as are not repugnant to the Constitution and laws of the land; shall have such number and succession of members and officers as shall be ordained and chosen according to their said rules and by-laws made or to be made by them; shall have and keep a common seal, and may alter the same at will; may sue and be sued, plead and be impleaded, in any Court of competent jurisdiction in this State, and shall have and enjoy all and every right and privilege incident and belonging to corporate bodies according to the laws of the land.

SEC. 3. That the said corporation shall have power to take, purchase and hold real estate, and to sell, mortgage or transfer the same from time to time to its members or others, on such terms and under such conditions and subject to such regulations as may be prescribed by the rules and by-laws of said corporation: *Provided*, That the real estate held by said corporation shall not at any time exceed the value of two hundred thousand dollars.

SEC. 4. That the funds of said corporation shall be loaned and advanced to the members and stockholders upon the security of real and personal estate, and used in the purchase of real estate for the benefit of its members and stockholders, on such terms and under such conditions, and subject to such regulations, as may from time to time be prescribed by the rules and by-laws of said corporation; and it shall be lawful for the said corporation to hold such lands, tenements, heredita-

A. D. 1885.

Purposes.

Name.

Capital stock.

How paid.

Shares.

By-laws.

Members and officers.

Other powers.

Real estate.

Limit.

Advances to members.

May take mortgages.

- A. D 1885. ments and personal property as shall be mortgaged or conveyed to them in good faith by way of security upon its loans and advances, and may sell, alien or mortgage, or otherwise dispose of the same, as they from time to time may deem expedient.
- And dispose of same. SEC. 5. That whenever it shall occur that the funds of said corporation shall remain unproductive and uncalled for for the space of two months the corporation shall have power to loan whatever amount may thus be on hand to others than stockholders and members at any rate of interest agreed upon not exceeding the legal rate.
- Loans to non-members. SEC. 6. That whenever the funds and assets of said corporation shall have accumulated to such an amount that upon a fair and just division thereof each stockholder and member shall have received, or be entitled to receive, the sum of two hundred dollars, or property of that value, for each and every share of stock by him or her so held, and when such distribution and division of the funds shall have been made, then this corporation shall cease and determine.
- Interest. SEC. 7. That the members of the said corporation shall be individually liable for the debt of said corporation, each member to the extent of one year's annual dues which such member may owe to the said corporation according to its by-laws in the year in which he or she may be sued for said corporation debt. But such liability shall not attach until the corporation shall have been sued and *nulla bona* returned on execution in such suit.
- Division and dissolution. SEC. 8. This Act shall be deemed a public Act, and the same may be given in evidence without specially pleading the same, and shall take effect immediately.
- Liability of stockholders. When to take effect.
- Public Act.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO REGULATE THE FEES OF PHYSICIANS AND SURGEONS FOR TESTIFYING AS EXPERTS IN CRIMINAL CASES.

A. D. 1885.
No. 174.

- SEC. 1.—Fees and mileage at Coroner's inquests.
SEC. 2.—Fees of witnesses in General Sessions.
SEC. 3.—To take effect immediately.
SEC. 4.—Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That physicians and surgeons summoned to testify as experts before a Coroner's jury shall be entitled to receive as compensation therefor the sum of five dollars for each day's attendance as such witness, and five cents per mile, one way, for necessary travel, in addition to the fees now allowed by law for making *post mortem* examinations.

Fees and mileage at Coroner's inquest.

SEC. 2. That physicians and surgeons bound over or summoned by the State to testify as experts in any case in the Court of General Sessions, or actually bound over at the instance of the defendant to testify as experts in any case of felony in the Court of General Sessions, shall receive as compensation therefor, to be paid by the County in which the case is tried, the sum of ten dollars, in addition to the fees provided by law to be paid to other witnesses in such cases: *Provided*, That the Circuit Judge before whom the case is tried shall certify that the testimony of such expert is material.

Fees for testifying in General Sessions.

Proviso.

SEC. 3. That this Act shall take effect immediately upon its approval.

When to take effect.

SEC. 4. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Repealing clause.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.

No. 175.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROHIBIT NON-RESIDENTS FROM HUNTING, DUCKING, FISHING AND GATHERING OYSTERS AND TERRAPINS WITHIN THE LIMITS OF THE COUNTIES OF GEORGETOWN, CHARLESTON, BEAUFORT, COLLETON AND BERKELEY, EXCEPT UPON CERTAIN CONDITIONS."

Amendment as to the license.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1 of an Act entitled "An Act to prohibit non-residents from hunting, ducking, fishing and gathering oysters and terrapins within the limits of the Counties of Georgetown, Charleston, Beaufort, Colleton and Berkeley, except upon certain conditions," be, and the same is hereby, amended so as to read as follows :

A. A. 1884, § 1.
18 Stat. 734,
amended.

Section as
amended.
Non-residents
not to hunt,
fish, &c.

Or to sell their
game without
license.

Limit of
license.

SECTION 1. That from and after the passage of this Act it shall not be lawful for any non-resident of this State to engage in the business of hunting, ducking, fishing or gathering oysters and terrapins, for gain or for market, within the limits of Georgetown, Charleston, Beaufort, Colleton and Berkeley Counties, or to engage in the exportation or sale of the fruits of such hunting, ducking, fishing or gathering oysters and terrapins, without first obtaining from the County Commissioners of the County in which said business is carried on a license therefor, which license shall be granted by the County Commissioners upon paying to the Treasurer of said County, to be used for County purposes, the sum of twenty-five dollars for each non-resident engaging in such business and twenty-five dollars for each non-resident hand employed : *Provided*, That each license so granted shall be for one year, and shall expire on the thirty-first day of October of each year.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

AN ACT TO INCORPORATE THE TOWN OF MIDWAY, IN THE
COUNTY OF BARNWELL.

A. D. 1885.

No. 176.

- SEC. 1.—Incorporation. Name and limits.
 SEC. 2.—Intendant and Wardens. Elections.
 SEC. 3.—Vacancies.
 SEC. 4.—Powers of Council.
 SEC. 5.—Nuisances. Police duty.
 SEC. 6.—Streets and street duty.
 SEC. 7.—Compounding for street work.
 SEC. 8.—Property rights.
 SEC. 9.—Taxes.
 SEC. 10.—Auction sales.
 SEC. 11.—Sidewalks.
 SEC. 12.—Public Act. Duration. Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons, citizens of the United States, who now are or here-
after may be inhabitants of the Town of Midway shall be deemed, and are hereby declared to be, a body politic and corporate, and that said town shall be called and known by the name of Midway, and its limits shall be deemed and held to extend one mile in any direction from the present railroad depot in said town.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be elected on the fourth Monday in March next, on which day, as well as on the fourth Monday in March of each year thereafter, an election shall be held for an Intendant and four Wardens, who shall be citizens of the United States and of this State and shall have been residents of said town for sixty days immediately preceding said election, at such places in said town as the Intendant and Wardens shall designate, ten days' public notice thereof being previously given in writing; and that all male inhabitants of this State of the age of twenty-one years who shall have resided in said town sixty days previous to the election shall be entitled to vote for said Intendant and Wardens; and the election shall be held from nine o'clock in the morning until three o'clock in the afternoon, when the polls shall be closed and the Managers shall count the votes and proclaim the election, and give notice thereof to the persons elected; and that the Intendant and Wardens for the time being shall appoint the Managers for the ensuing election; that the Intendant and Wardens before entering upon the duties of their respective offices shall take the oath prescribed by the

Incorporation.

Name and limits.

Intendant and Wardens, to be elected.

Who may be.

Notice of election.

Electors.

Hours.

Determining the result.

Managers.

Oaths.

A. D. 1885.

Constitution of this State, and also the following oath, to wit:
 "As Intendant (or Warden) of Midway, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and use my best endeavors to preserve the peace and carry into effect, according to law, the purposes of my appointment. So help me God."

Vacancies.

SEC. 3. That in case a vacancy shall occur in the office of Intendant, or any of the Wardens, by death, resignation, removal from the State, or from any other causes, an election shall be held by the appointment of the Intendant and Wardens, or Wardens, as the case may, ten days' notice thereof as aforesaid being given; and in case of sickness or temporary absence of the Intendant, the Wardens forming a Council shall be empowered to elect one of themselves to act as Intendant during such sickness or absence.

Powers of
Trial Justice.

SEC. 4. That the Intendant and Wardens, duly elected and qualified, shall, during their term of service, severally and respectively, be vested with all the powers of Trial Justices or other inferior Courts in the State, to try and punish all persons charged with the violation of any of the ordinances; that the Intendant shall, as often as the occasion may require, summon

Council meet-
ings.

the Wardens in Council to meet him, a majority of whom shall constitute a quorum for the transaction of business, and shall be known by the name of the Town Council of Midway. And

Other powers.

they and their successors in office shall have a common seal, and shall have power and authority to appoint from time to time

Marshals.

such and so many persons to act as Marshals and Constables as they shall deem expedient and proper, which officers shall have all the powers, privileges and emoluments, be subject to all the duties, penalties and regulations, provided by the laws of this State for the office of Constables; and the Intendant and Wardens in Council shall have authority and power, under their cor-

By-laws and
ordinances.

porate seal, to ordain and establish all such rules and by-laws and ordinances respecting the streets, ways, public wells and watering places, markets and police of the said town, and for preserving health, peace, order and good government within the same, as they may deem expedient and proper; and the said

Fines.

Council may affix fines for offenses against such by-laws and ordinances and appropriate the same to the use of the corporation. But no fine shall exceed fifty dollars. All fines may be recovered by an action for debt before a proper tribunal.

SEC. 5. That the said Council shall have power to abate and remove nuisances within the limits of said town, and also to classify and arrange the inhabitants liable to police duty, and to require them to perform such duty as occasion may require, and to enforce the performance thereof under the same penalties as are now or may hereafter be established by law: *Provided always, nevertheless*, That the said Town Council shall have power to compound with persons liable to perform such duties upon such terms as they shall by ordinance establish.

A. D. 1885.

Nuisances.
Police duty.Compound-
ing.

Streets.

SEC. 6. That it shall be the duty of the Intendant and Wardens to keep all streets and ways which may be necessary for the public use within the limits of said town open and in good repair, and for that purpose they are hereby vested with all the powers, rights and privileges granted by law to the County Commissioners within the limits of said town, and for any neglect of duty they shall be liable to the pains and penalties imposed by law upon County Commissioners for neglect, and they are hereby individually exempt from the performance of road and police duty, and the inhabitants of said town are hereby exempt from road and police duty without the limits of said corporation.

Penalties.

Exemptions.

SEC. 7. That the said Intendant and Wardens shall have power to compound with persons liable to work on said streets and ways and release such persons as may desire it upon the payment of such sum of money as they deem a fair equivalent therefor, to be applied by them to the use of the said corporation.

Compound-
ing for street
work.

SEC. 8. That the said Town Council of Midway shall also be empowered to retain, possess and enjoy all such property as they may now be possessed of or entitled to, or which shall shall hereafter be given, bequeathed to, or in any manner acquired by them, and to sell, alien or in any way transfer the same or any part thereof: *Provided*, The amount of property so held or stock invested shall in no case exceed fifteen thousand dollars.

Property
rights.

Limit.

SEC. 9. That the said Town Council of Midway shall have power to impose an annual tax on all real and personal property within the corporate limits of said town: *Provided*, Said tax does not exceed fifty cents on the one hundred dollars.

Taxes.

Limit.

SEC. 10. That the Intendant and Wardens of the Town of Midway shall have power to regulate sales at auction and to grant licenses to auctioneers and others engaged in trade:

Auction sales.

A. D. 1885.

Proviso.

Provided, That nothing herein contained shall extend to sales by Sheriff, Clerk of Court, Judge of Probate, Coroners, executors, administrators, assignees, or by any other person under the order of any Court of Trial Justice.

Sidewalks.

SEC. 11. That the Intendant and Wardens of the Town of Midway shall have power and authority to require all persons owning a lot or lots in said Town of Midway to keep in repair the sidewalks adjacent to their lots respectively, and for default in this matter shall have power and authority to have the work done at the expense of such lot owner.

Public Act.

SEC. 12. That this Act shall be taken and deemed as a public Act in all Courts of justice, and shall continue of force for the term of twenty years from its passage, and that all Acts and

Duration.

Repealing clause.

parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

No. 177. AN ACT TO AMEND AN ACT ENTITLED AN ACT AUTHORIZING TRIAL JUSTICES TO ISSUE WARRANTS FOR THE ENFORCEMENT OF AGRICULTURAL LIENS IN CERTAIN CASES AND TO FIX COMPENSATION THEREFOR.

SEC. 1.—Amendment by adding the following:

SEC. 4.—Proceeding to replevy.

SEC. 5.—Fees and costs.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled an Act authorizing Trial Justices to issue warrants for the enforcement of agricultural liens in certain cases

A. A. 1884, 18
Stat. 751,
amended.

be, and the same is hereby, amended by adding thereto the following Sections, to be known as Sections 4 and 5, as follows :

Any person or persons whose crop or crops, whether the same be severed from the freehold or not, may be seized under the provisions of the preceding Sections shall have the right, upon entering into bond in accordance with the provisions of law now of force in regard to actions for claim and delivery of personal property, to recover immediate possession of the crop or crops so seized : *Provided*, That nothing herein contained shall be so construed as to affect any of the provisions of said preceding Sections in cases where no bond is given as herein authorized.

SECTION 5. That costs and fees of Trial Justices in cases for enforcement of agricultural liens shall be the same as for Clerks of Court in similar cases. The costs and fees of Constables in Trial Justices' Courts shall be the same as, in like cases, as now allowed to Sheriffs.

A. D. 1885.

Additional
Sections.

Proceedings
to replevy.

Proviso.

Fees.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

AN ACT TO PROVIDE FOR THE APPOINTMENT OF A STENO- No. 178.
GRAPHER FOR THE THIRD, FOURTH, FIFTH AND SIXTH
JUDICIAL CIRCUITS.

SEC. 1.—Judges to appoint. Duties of Stenographers.

SEC. 2.—Copies of evidence, &c. Fees.

SEC. 3.—Salary for Third Circuit and how paid.

SEC. 4.—Salary for Fourth Circuit and how paid.

SEC. 5.—Salary for Fifth Circuit and how paid.

SEC. 6.—Salary for Sixth Circuit and how paid.

SEC. 7.—When to take effect.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the resident Judges of the Third, Fourth, Fifth and Sixth Judicial Circuits, respectively, shall appoint a Stenographer for

Judges to ap-
point Steno-
graphers.

A. D. 1885.

Duties.

said Circuits, who shall be a sworn officer of the Circuit Court, and shall be paid as hereinafter provided. It shall be the duty of every Stenographer appointed for said Circuits, under the direction of the presiding Judge thereof, to take full stenographic notes of all proceedings, including the testimony, rulings and charge of the Court in every trial thereat; and in case the presiding Judge or the Solicitors of said Circuits shall require a transcript of said Stenographic notes for use in criminal cases, said Stenographer shall furnish the same written out in full.

Copies to be furnished.

SEC. 2. It shall be the duty of such Stenographer to furnish to any party to such trial, upon request, a copy of the evidence and proceedings taken by him in such trials, or such part thereof as may be required, on payment, in advance, on behalf of such party, of three cents for every hundred words of the copy so furnished. Any sum so paid by any party shall be considered a necessary disbursement in the taxation of costs.

Fees.

Salary for Third Circuit and by whom paid.

SEC. 3. That the Stenographer of the Third Circuit shall receive an annual salary of one thousand dollars, payable quarterly, as follows: By the County of Sumter, four hundred dollars; by the County of Clarendon, two hundred dollars; by the County of Williamsburg, two hundred dollars; by the County of Georgetown, two hundred dollars. Said amounts to be paid quarterly by the Treasurers of said Counties upon the check of the Board of County Commissioners, who shall issue such check upon the production of a certificate of the presiding Judge that such Stenographer has performed his duties; said sums to be paid out of current County funds.

How paid.

Salary for Fourth Circuit and by whom paid.

SEC. 4. That the Stenographer of the Fourth Circuit shall receive an annual salary of one thousand dollars, to be paid as follows: By the County of Chesterfield, one hundred dollars; by the County of Marlboro, one hundred and fifty dollars; by the County of Darlington, three hundred and twenty-five dollars; by the County of Marion, three hundred and twenty-five dollars; by the County of Horry, one hundred dollars. Said amounts to be paid quarterly by the Treasurer of said Counties upon the check of the Board of County Commissioners, who shall issue such check upon the production of a certificate of the presiding Judge that such Stenographer has performed his duties; said sums to be paid out of current County funds.

How paid.

Salary for Fifth Circuit and by whom paid.

SEC. 5. The Stenographer for the Fifth Circuit shall receive a salary of one thousand dollars per annum, payable quarterly as follows: By the County of Richland, four hundred dollars; by

the County of Edgefield, three hundred dollars; by the County of Kershaw, one hundred and fifty dollars; and by the County of Lexington, one hundred and fifty dollars. Upon the certificate of the presiding Judge, the County Commissioners of the respective Counties shall issue their checks, as herein directed, and the Treasurers of said Counties shall pay the same from the funds for ordinary County expenses.

A. D. 1885,

How paid.

SEC. 6. The Stenographer for the Sixth Judicial Circuit shall receive a salary of one thousand dollars per annum, payable quarterly as follows: By the County of Chester, two hundred and fifty dollars; by the County of Fairfield, two hundred and fifty dollars; by the County of Lancaster, two hundred dollars; and by the County of York, three hundred dollars. Upon the certificate of the presiding Judge, the County Commissioners of the respective Counties shall issue their checks, as herein directed, and the Treasurers of said Counties shall pay the same from the funds for ordinary County expenses.

Salary for
Sixth Circuit
and by whom
paid.

How paid.

SEC. 7. This Act shall take effect immediately upon its passage.

When to take
effect.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.

JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885. AN ACT TO PROVIDE FOR THE PAYMENT OF THE CLAIM OF
 No. 179. THE LATE JUDGE J. P. REED.

Payment of back salary as Judge.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller General and the State Treasurer of the State of South Carolina be, and they are hereby, authorized and directed to permit the personal representatives of the late Judge J. P. Reed to fund the amount of nine hundred and four 13-100 dollars, the sum due the said J. P. Reed as one of the Judicial officers of the State prior to January 1st, 1877, in a deficiency bond for four hundred and fifty-two dollars, with interest thereon from the first day of January, A. D. 1877, at the rate of six per centum per annum, any law to the contrary notwithstanding:

Payment of back salary. *Provided*, That before such deficiency bond shall be issued the executors of the estate of the late Judge J. P. Reed shall file a good and sufficient bond with the Comptroller General, to protect the State against any liability that might arise from a certificate heretofore issued to the said J. P. Reed, and which has been lost.

Proviso.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
 President of the Senate.
 JAMES SIMONS,
 Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
 Governor.

AN ACT TO REPEAL SUBDIVISION TWENTY-THREE (23) OF SECTION ONE HUNDRED AND SIXTY-NINE (169) OF THE GENERAL STATUTES, RELATING TO THE EXEMPTION OF PROPERTY FROM TAXATION. A. D. 1885.
No. 180.

Repeal of manufacturing companies' exemptions. Proviso.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That subdivision twenty-three (23) of Section one hundred and sixty-nine (169) of the General Statutes of this State be, and the same is hereby, repealed: *Provided*, That nothing herein shall affect the rights of persons acquired under said Section by reason of investments heretofore made in the original erection and furnishing of such manufactories as are mentioned in said subdivision: *Provided, further*, That the exemption allowed by this Act shall not be construed to extend to other buildings or property than that which is exclusively and directly used in the manufacture of the articles mentioned in said subdivision, and such exemption shall cease at the expiration of ten (10) years from the date of the commencement of such manufactories.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.
No. 181.

AN ACT TO SUPPRESS THE PUBLICATION AND CIRCULATION OF
OBSCENE BOOKS, PAPERS AND PICTURES, AND THE POSTING
OF INDECENT SHOW BILLS.

SEC. 1.—Publishing obscene prints forbidden.

SEC. 2.—Exhibiting indecent pictures forbidden.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That whoever knowingly imports, prints, publishes, sells or distributes any book, pamphlet, ballad, printed paper or other thing containing obscene, indecent or improper print, picture, figure or description manifestly tending to the corruption of the morals of youth, or introduces into a family, school or place of education, or brings, procures, receives or has in his possession any such book, pamphlet, printed paper, picture or ballad, or other thing, either for the purpose of sale, exhibition, to aid in a circulation, or with intent to introduce the same into a family, school or place of education, shall be punished by imprisonment not exceeding two years or by a fine not exceeding one thousand (\$1,000) dollars, or both, at the discretion of the Court.

Penalty for publishing obscene books, papers, &c.

Exhibiting indecent pictures a misdemeanor.

SEC. 2. That whoever posts or exhibits in any public place any advertisement, show bill or other printed or written picture of an indecent or obscene character shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by imprisonment not exceeding two years or by a fine not exceeding one thousand dollars, or both, in the discretion of the Court.

Punishment.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND SECTION 1178 OF THE GENERAL STATUTES
OF THE STATE, RELATING TO THE REMOVAL OF OBSTRUCTIONS IN RUNNING STREAMS.

A. D. 1885.
No. 182.

Exceptions omitted and months changed.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 1178 of the General Statutes of the State be, and the same is hereby, amended so as to read as follows :

Gen. Stat.
§ 1178, amend-
ed.

SECTION 1178. All land owners of the Counties of Anderson, Beaufort, Chester, Greenville, Oconee, Union, Fairfield, Laurens, Newberry and Abbeville shall remove from the running streams of water upon their lands all trash, trees, rafts and timber during the months of May and August in each year.

Section as
amended.

When to
clean out
streams.

SEC. 2. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Repealing
clause.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885. **AN ACT TO INCORPORATE THE EASTERN SOUTH CAROLINA
RAILROAD COMPANY.**
No. 183.

- SEC. 1.—Incorporation. Name. Duration. Powers.
SEC. 2.—Gauge and route of road. Branch roads.
SEC. 3.—Telegraph and telephone lines.
SEC. 4.—Vessels and wharves.
SEC. 5.—Consolidation with other roads.
SEC. 6.—Bonds and mortgages.
SEC. 7.—Land and right of way.
SEC. 8.—Capital stock. Subscriptions.
SEC. 9.—Corporate subscriptions. Incorporation of Townships.
SEC. 10.—Election. Ballots. Notice.
SEC. 11.—Duties of Managers.
SEC. 12.—Subscriptions in bonds. Taxes.
SEC. 13.—Taxes to pay principal and interest.
SEC. 14.—Special receipts fundable in stock.
SEC. 15.—Subject to General Railroad Law.
SEC. 16.—Public Act. Duration.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Corporators. Thomas W. Beaty, Thomas W. Daggett, E. T. Lewis, John A. Mayo, Evan Norton, H. R. Harnaker, C. P. Quattlebaum, J. E. Dusenbury, Sr., H. L. Buck, B. L. Beaty, John Causey, Sr., J. M. Lewis, E. W. Johnson, D. J. McQueen, J. W. Holliday, Daniel Lewis, W. H. Privett, A. H. Anderson, L. Don Graham, J. C. Bryant, Avery Floyd, James Battle, H. C. Elliott, Jeremiah Smith, S. S. Dusenbury, J. S. Brown, L. D. Bryan, Thomas Livingston, Samuel Hickman, E. D. Richardson, J. R. Suggs, R. D. Best, A. B. Nichols, George W. Huggins, James Norton, W. H. Daniel, N. B. Cooper, B. F. Davis, E. B. Smith, J. E. Harrelson, W. A. Brown, Albert Gibson, J. M. Johnson, W. J. Montgomery, Richard Jordan, C. A. Woods, W. D. Johnson, G. A. Norwood, W. W. Harlee, C. Graham, W. C. McMillan, Thomas C. Moody, I. E. Watson, H. W. Allen, J. C. Sellers, W. S. Ellerbe, James Berry, Samuel Watson, W. McD. Alford, W. B. Allen, D. N. Bethea, L. B. Rogers, A. B. Surles, H. P. Price, E. A. Bethea, H. Manning, R. Murchison, W. H. Steed, T. B. Stackhouse, R. K. Clarke, J. F. Bethea, T. N. Edens, W. A. Hinshaw, J. T. Covington, C. S. McCall, H. H. Newton, J. D. Murchison, Thomas H. Bethea, R. J. Tatum, B. F. Moore, John S. Fletcher, E. W. Goodwin, A. J. Matherson, W. F. Kinney, Dr. J. L. Napier, F. B. Gibson, J. C. Coit, H. D. Malloy, J. F. McNair, E. N. Redfearn, W. L. T. Prince, W. W.

Incorporation. Spencer, and such persons and such corporations as may be associated with them, and their successors and assigns, be, and

they are hereby, created a body politic and corporate for the purposes hereinafter named, under the name and style of the Eastern South Carolina Railroad Company, and by such title shall have a corporate existence for the term of forty years; and may sue and be sued, plead and be impleaded, answer and be answered unto, in all Courts of this State or in the United States; may make by-laws and regulations for the government and management of said company; may elect or appoint all necessary officers, and prescribe their powers and duties; and may have and use a common seal, which it may change or alter at pleasure; and shall be capable of accepting, purchasing, holding, using, leasing, mortgaging and acquiring estates, real, personal and mixed, or other property, and of acquiring the same by gift, devise, deed of conveyance or otherwise.

A. D. 1885.

Name and duration of charter.

Powers.

Property rights.

SEC. 2. That said company shall be, and is hereby, authorized and empowered to construct, maintain and operate a railroad, with any gauge, with one or more tracks, extending from Conway, in Horry County of this State, to Marion Court House, and from thence to Bennettsville, and from thence to some point on or near the North Carolina State line West of the Little Pee Dee River, with the privilege of extending the same to some point on or near the Atlantic Ocean; and with the further privilege of extending a branch road on the Eastern side of said road from Conway, South Carolina, to the North Carolina State line in Horry County; the particular route of the same to be determined upon by the said company after it shall have been formed; and with the further privilege of building branch roads on either side of said route from such points on said road to such other points, not more than twenty-four (24) miles distant therefrom, as the said company may deem expedient.

Gauge and route of road.

Branch roads.

SEC. 3. That said railroad company is hereby authorized to construct and operate one or more lines of telegraph or telephone along its line or lines of railway, and to charge and collect such remuneration for messages or dispatches as the President or Board of Directors may determine; and said company may connect said lines of telegraph or telephones with the lines of any other company in this or any adjoining State; and may lease, rent out or sell the above stated right as in the judgment of the President and Board of Directors may be advantageous to the company.

Telegraph and telephone lines.

Charges.

Connections.

Leases.

SEC. 4. That the said company may also own, lease, charter and run such steamboats, sailing vessels or other water crafts as

Vessels.

A. D. 1885.

Wharves.

may be necessary to conduct a general freight and passenger business, in connection with the said railroad, from its water terminus to any of the ports of the United States; and may construct and own, lease or rent, such wharves as may be necessary for said purpose.

Consolidation
with other
roads.

SEC. 5. That said company is hereby authorized and empowered to merge and consolidate its capital stock, estate, real, personal and mixed, franchises, rights, privileges and property with any other railroad company or companies chartered by and organized under the laws of this or any other State or States, whenever the two or more railroad companies so to be merged and consolidated shall and may form a continuous line of railroad with each other, or by means of any intervening road or roads; and said consolidation may be effected in such manner, and on such terms and conditions, as a majority of the stockholders may determine.

Bonds and
mortgages,

SEC. 6. That the said company is hereby authorized and empowered to mortgage any and all of its property and franchises, and to issue bonds and preferred stock to an amount, and on such terms and conditions, and for such uses and purposes of said company, as a majority of the stockholders thereof shall deem expedient for the interest of the company.

Land and
right of way.

SEC. 7. That said company shall have every right, power and privilege necessary for the purpose of acquiring such lands and right of way as may be required for locating and constructing said road and branches thereof and telegraph and telephone lines, and for the erection and location of depots, warehouses, stations, wharves and other necessary establishments, or for altering or extending the same, and the said company shall have the benefit of every process and proceeding, and be subject to the restrictions, provided or imposed in Sections 1550 to 1561, both inclusive, of the General Statutes of this State.

Capital stock.

SEC. 8. That the said capital stock of said company shall be one hundred thousand dollars, in shares of not less than one hundred dollars each, with the privilege of increasing the said capital stock to such an amount as may be found necessary to carry out the intention and purposes of this Act, not to exceed the sum of five million dollars, and the said shares shall be personal property, transferable in such manner as the by-laws of the company may direct; and for the raising of such capital stock, it shall be lawful to open books of subscription at such times and places, and under the direction of such persons, as such

Books of sub-
scription.

company may direct; that the said subscription to the capital stock may be made in money, bonds, notes, lands or materials of work, at such rates and on such terms as may be agreed upon with the company at the time of such subscription; and a copy of any articles of association, signed by the incorporators named in this Act, or any number of them not less than five, may be filed in the office of the Secretary of State, and thereupon the persons subscribing such articles of association, and all persons who, and corporations which, shall become stockholders in said company, shall be a corporation in deed and in law for the purposes herein set forth, and shall be considered organized by such act of association.

A. D. 1885.

Character of
subscriptions.

Organisation.

SEC. 9. That in addition to the provisions contained in the preceding Section for private subscription, it shall and may be lawful for any city or town, County or Township interested in the construction of said road to subscribe to its capital stock such sum as a majority of the legal voters thereof may authorize the County Commissioners or the proper authorities of city or town, as the case may be, to subscribe, which subscription shall be made in seven per cent. coupon bonds, payable in such installments as the County Commissioners or proper authorities of such city or town shall determine, and to be received by said company at par, said bonds to be made payable in thirty years after the date thereof, and to be of the denomination of one hundred dollars, five hundred dollars and one thousand dollars; and for the purposes of said subscription, issuing said bonds and otherwise carrying out the provisions of this Act by any Township, such Township as shall subscribe to the said capital stock, as provided in this Act, be, and the same are hereby, created bodies politic and corporate, under their Township names, respectively, and are vested with all necessary power to carry out the provisions of this Act, and may sue and be sued in all the Courts of this State or the United States, in respect of any rights or causes growing out of the provisions of this Act; and the County Commissioners of the Counties wherein such Townships are situated are hereby declared to be the corporate agents of all Townships so incorporated situated within the limits of their respective Counties.

Corporate
subscriptions.Description of
bonds.Incorporation
of Townships.Agents of
Townships.

SEC. 10. That it shall be the duty of the County Commissioners of any County, upon the written application of a majority of the owners of real estate of the County, or of a majority of the owners of real estate in any Township in their County,

Petition for
election.

- A. D. 1885.** specifying the amount to be subscribed therein, to submit to the qualified electors of such County or Township in their respective Counties, as the case may be, the question of subscription or no subscription to the capital stock of said company, and they shall
- Election.** order an election, specifying the time, place and purpose of the election, and shall appoint three Managers of said election at each election precinct in such County or Township, as the case may be, who shall, without compensation, hold and conduct such election in the same manner as State and County elections are held and conducted, at which election the ballots shall have
- Ballots.** written or printed thereon the word "Subscription" or "No subscription," the said County Commissioners having first, by a resolution of their Board, fixed the amount proposed to be subscribed, according to the request of the petition submitted to them as aforesaid, notice of which resolution shall be given by
- Notice.** the Chairman of said Board in one or more newspapers published in the County for which he acts, for three weeks next previous to the election: or if there be no newspaper published in his County, then by posting said notice on the Court House, and by publishing the same for the length of time aforesaid, in the newspaper having probably the largest circulation in the County; and the proper corporate authorities of any city or
- Election in towns.** town, upon the petition of a majority of the owners of real estate of such city or town, shall, in like manner and after like notice, submit the question to the qualified electors in such city or town, and declare the result of such election as herein directed in case of County or Township elections.
- Duties of Managers.** SEC. 11. It shall be the duty of the Managers conducting the election to count the votes and declare the result as in other elections, which result, at their respective precincts, they shall certify in writing, under their hands, to the Board of County Commissioners, or to the City or Town Council, as the case may be, within three days after the said election, who shall collate the same and declare the result.
- Subscription to be made.** SEC. 12. In case the majority of the ballots cast shall have written or printed thereon "Subscription," then the Chairman of the Board of County Commissioners, in all cases of County or Township election, shall be authorized and required to subscribe to the capital stock of said company, in behalf of said County or Township, as the case may be, the sum which may have been
- Amount.** fixed and named in the resolution of said Board, published as
- How made.** aforesaid, which subscription shall be made in seven per cent.

coupon bonds, as aforesaid, with interest payable annually, but in case of subscription made under the direction of a Township election, as authorized by this Act, it shall be so expressed in the bonds and coupons issued in payment of such subscription; and all tax levies for the purpose of raising funds to pay the said bonds or coupons shall be made only upon the taxable property of such Township; and if a majority of the ballots cast in any city or town election shall be for subscription, the proper corporate authorities of such city or town are authorized and required to subscribe in behalf of such city or town in like manner and to like extent as the County Commissioners are required herein in cases of County subscription: *Provided*, That the amounts realized by said company from such County or Township subscriptions shall only be expended by said company within the County so subscribing, and within the County wherein the Township so subscribing shall be situated, and only for the purposes named in this Act.

A. D. 1885.

Tax to pay
bonds and cou-
pons.Where ex-
pended.

SEC. 13. That for the payment of the interest on said bonds, the County Auditor, or other officer discharging such duty, or the City or Town Clerk or Treasurer, as the case may be, shall be authorized and required to assess annually, upon the taxable property of such city or town, County or Township, such per centum as may be necessary to pay said interest, which shall be known and styled in the tax books as said railroad tax; which shall be collected by the Treasurer under the same regulations as are provided by law for the collecting of taxes in any of the cities, towns or Counties so subscribing, and which shall be paid over by said Treasurer to the holders of said bonds, as the said interest shall become due, upon the presentation of the coupons which are due, and he shall cancel the same, and turn them over so canceled to the County Commissioners or city or town authorities, as the case may be. And ten years previous to the time said bonds shall fall due, the money to pay the same shall be commenced to be raised by taxation, and thereafter the County Auditor, or other officer discharging such duty, the City or Town Clerk or Treasurer, as the case may be, shall annually assess upon the taxable property of such County or Township, city or town, in the same manner as directed in providing for the payment of the interest, an additional per centum sufficient to pay one-tenth of the principal of said bonds, until the said bonds shall be fully paid, which shall be collected by the County, City or Town Treasurer, as the case may be, and shall

Assessment
and collection
of R. R. tax.To be paid
over.Payment of
principal.

- A. D. 1885. be paid over to the holders of said bonds by him, in like manner as herein provided for the payment of the annual interest, a credit for which payment he shall indorse upon said bonds.
- Special receipts. SEC. 14. That in collecting said taxes, the County, City or Town Treasurer, as the case may be, shall deliver to the taxpayer a special receipt therefor, which shall express that the amount stated therein is the tax for said railroad; and when any holder of such receipt issued in his own name, or in that of another person, and duly transferred to such holder by the indorsement thereon of the name of the person to whom the same was issued, shall present to the proper custodian of the said stock held by any County, Township, city or town in behalf of which the taxes named in such receipts were paid an amount equal to one or more shares of said stock, the said custodian shall transfer and deliver to said holder shares of stock equal in amount to such receipts, and such holder shall thereupon become a stockholder of said company: *Provided*, That said stock shall not be so transferred in amounts less than one share: *Provided, further*, That said custodian shall retain said receipts as vouchers for the said stock so transferred by him.
- Fundable in stock.
- Provisoos.
- Subject to General Railroad Law. SEC. 15. That this charter shall be subject to all the provisions of Part I, Chapter XL, of the General Statutes, known as the Railroad Act.
- Public Act. SEC. 16. That this Act shall be deemed a public Act, and
- Duration. shall continue in force until it expires by its own limitation.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AUTHORIZE DEFENDANTS IN ACTIONS TO RECOVER
LAND TO SET UP A CLAIM FOR IMPROVEMENTS.

A. D. 1885.

No. 184.

SEC. 1.—Answer may allege value of improvements.

SEC. 2.—When ascertained. A charge on the land only,

SEC. 3.—Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That in any action hereafter brought, or now pending, and which has not been heard, for the recovery of lands and tenements, whether such action be denominated legal or equitable, the defendant who may have made improvements or betterments on such land, believing at the time he makes such improvements or betterments that his title thereto was good in fee, shall be allowed to set up in his answer a claim against the plaintiff for so much money as the land has been increased in value in consequence of the improvements so made.

Value of improvement may be alleged in answer.

SEC. 2. If the verdict or decree shall be for the plaintiff in such action, the jury or Judge, who may render the same, may at the same time render a verdict or decree for the defendant for so much money as the lands and tenements are so made better, after deducting the amount of damages, if any, recovered by the plaintiff in such action, and the lands and tenements as recovered shall be held to respond to such judgment for the defendant: *Provided*, That execution on such judgment shall issue only against such lands and tenements so recovered by the plaintiff in such action, and shall not in any such case issue against the goods and chattels or other lands of the defendant.

Jury or Judge may assess value.

Charge on the land.

But not to be recovered out of other property.

SEC. 3. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Repealing clause.

In the Senate House the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885. **AN ACT TO INCORPORATE THE TOWN OF RUMPHVILLE, IN THE**
 No. 185. **COUNTY OF COLLETON.**

SEC. 1.—Incorporation. Name and limits.
 SEC. 2.—Election of Intendant and Wardens.
 SEC. 3.—Vacancies.
 SEC. 4.—Powers. Fines.
 SEC. 5.—Nuisances. Arrests. Labor on streets.
 SEC. 6.—Streets. Penalties. Compounding.
 SEC. 7.—Licenses. Auction sales.
 SEC. 8.—First election.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Incorporation. all persons, citizens of the United States, who now are or hereafter may be inhabitants of the Town of Rumphville, shall be deemed, and are hereby declared, a body politic and corporate,

Name and limits. and said town shall be called and known by the name of Rumphville, and its limits shall be deemed and held to extend one mile in each direction from the railroad depot at said place.

Intendant and Wardens election. SEC. 2. That said town shall be governed by an Intendant and four Wardens, who shall be elected on the first Monday in April next, 1886, and on the first Monday in April in every year thereafter, who shall hold their office for one year and until their successors shall have been elected and qualified. An election shall be held for an Intendant and four Wardens, who shall be citizens of the United States, and shall have been residents of the said town sixty days next preceding said election, at such place in said town as the Intendant and Wardens shall designate, ten days' notice thereof in writing being previously given; and that all the male inhabitants of said town of the

Electors. age of twenty-one years who are now or hereafter may become citizens of this State, and who have resided or may hereafter reside within the limits of said town sixty days previous to the election, shall be entitled to vote for said Intendant and Wardens, including persons owning real estate and doing business

Hours. in said town. An election shall be held from nine o'clock in the morning until 5 o'clock in the evening, when the polls shall

Managers. be closed and the Managers shall count the votes and proclaim the election and give notice thereof to the persons elected; and that the Intendant and Wardens for the time being shall appoint Managers to hold the ensuing election. That the Intendant and Wardens, before entering into the duties of their office, shall take the oath prescribed by the Constitution of the State.

Oath.

SEC. 3. That in case a vacancy shall occur in the office of Intendant or any of the Wardens by death, resignation or otherwise, an election shall be held by appointment of Intendant and Warden or Wardens, as the case may be, ten days' public notice thereof as aforesaid being given; and in case of the sickness or temporary absence of the Intendant, the Wardens forming a Council shall be empowered to elect one of themselves to act as Intendant during such sickness or absence.

A. D. 1885.

Vacancies.

SEC. 4. That the Intendant and Wardens duly elected and qualified shall, during their term of service, severally and respectively, be vested with all the powers of Trial Justices in the State within the limits of said town; that the Intendant shall, as often as occasion may require, summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of business, and shall be known as the Town Council of Rumphville; and they and their successors in office shall have a common seal, and shall have power and authority to appoint, from time to time, such Marshals and Constables as they shall deem sufficient and proper, which officer or officers shall have all the powers, privileges and emoluments, and be subject to all the duties, penalties and regulations, by the laws of the State for the office of Constable; and the Intendant and Wardens, in Council, shall have power and authority, under their corporate seal, to ordain and establish all such rules and ordinances respecting the streets, ways, bridges, public wells, markets and police of said town, and for preserving health, peace, order and good government within the same, as they may deem expedient and proper; and the said Council may affix fines for offenses against such rules and ordinances, and appropriate the same to the use of the corporation, but no fine shall exceed \$25; all fines may be collected by an action for debt before a proper tribunal.

Powers of
Trial Justice.Council meet-
ing.

Powers.

Marshals.

Ordinances.

Fines.

SEC. 5. That the said Council shall have power to remove all nuisances within the limits of said town and to erect and maintain a guard house, and to prescribe, by ordinances, suitable regulations for governing the same; that they shall have power to arrest and commit to said guard house, for a space of time not exceeding forty-eight hours and to fine not exceeding twenty-five dollars, any person or persons who shall be guilty of disorderly conduct in said town; that whenever any person shall refuse, fail or be unable to pay any fine imposed, that said Council shall have power and authority to commute the sentence

Nuisances.

Arrest and
commitment.

A. D. 1885. of such person or persons to that of labor on the public streets and roads of said town for a period not exceeding thirty days, according to gravity of the offense.

Labor on
streets as pun-
ishment.
Streets.

Penalties.

Compounding
for street work.

Licenses.

Auction sales.

Proviso.

First election.

SEC. 6. That it shall be the duty of the Intendant and Wardens to keep all streets and ways within the limits of said town open and in good order, and for that purpose they are hereby invested with all the powers and privileges granted by law to Commissioners of Roads within the limits of said town, and for neglect of duty they shall be liable to the same pains and penalties imposed by law upon Commissioners of Roads for like neglect; that the Intendant and Wardens shall have power to compound with persons liable to work on said streets upon the payment of such sum of money as they may deem a fair equivalent therefor.

SEC. 7. That the said Town Council shall have power to require the payment of a reasonable sum of money as a license fee from the owners of all shows or exhibitions for gain or reward within the limits of said town; and they shall also have power to regulate sales at auction within the limits of said town: *Provided*, That nothing herein contained shall extend to sales by Sheriffs, Clerks of Court, executors, administrators, assignees or any officers or other persons under the order of any Court.

SEC. 8. That for the purpose of the first election of Intendant and Wardens provided for by this Act, the Clerk of the Circuit Court of Colleton County is hereby authorized and required to appoint and qualify three Managers of the said election, and to give ten days' notice in writing of the time of said election, prior to April 1st, 1886; and the said Managers at the first election shall perform all the duties devolved by this Act upon the Intendant and Wardens as to subsequent elections.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

AN ACT TO CHARTER THE CAMPERDOWN COTTON MILLS.

A. D. 1885.

No. 186.

SEC. 1.—Change of name. Powers.

SEC. 2.—Capital stock.

SEC. 3.—Real estate. Other rights.

SEC. 4.—Liability of stockholders.

SEC. 5.—Votes of stockholders.

SEC. 6.—Shares of stock.

SEC. 7.—Public Act. Duration.

Whereas H. P. Hammett and certain other persons associated with him did, on the 3d day of August, A. D. 1885, purchase all and singular the machinery, fixtures, leases, franchises, rights, privileges and powers which belonged to the "Camperdown Mills," a corporation duly chartered by the laws of this State, located at Greenville, South Carolina, and soon thereafter organized a new company, having temporarily adopted the name and charter of the old company, under which they have been since operating; *and whereas* said new company desires to substitute a new charter for the old, and modify the same; therefore,

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the name of the corporation heretofore known as the "Camperdown Mills," located at Greenville, South Carolina, be, and the same is hereby, changed to "The Camperdown Cotton Mills," and under such name they shall have all the rights, powers, privileges and immunities heretofore belonging to the old company, for the purpose of manufacturing, spinning, dyeing, printing, finishing and selling all goods of every kind made of wool or cotton, or of which wool or cotton or other fibrous articles may form a part, or any other articles of like nature or kind whatsoever which they may from time to time desire; and for grinding and milling wheat, corn and other grains, sawing lumber and selling merchandise, and for producing and making all machinery, tools and implements necessary to or used for such purposes; and may erect such mills, buildings, machine shops, stores, dwellings and other works as may be required or necessary to carry out such branches of manufacture and business; and also for the transaction of all business connected with the purposes so recited.

SEC. 2. That the capital stock of the said corporation shall be one hundred thousand dollars, divided in shares of one hundred dollars each: *Provided, however,* That a majority of the Board

Change of
name.

Powers.

Buildings.

Capital stock.

- A. D. 1885.** of Directors of said corporation shall have the power of increasing the said capital stock to any extent not exceeding one million dollars whenever they may deem proper so to do; and the said corporation shall by its by-laws provide for the manner of raising and distributing such additional capital stock.
- Increase.**
- Real estate.** SEC. 3. The said corporation may purchase and hold all such real and personal estate as may, from time to time, be required or convenient for their purposes, or such as they may be obliged or may deem it for their interest to take in settlement of any debts due to said corporation, and may dispose of the same; may erect such mills, machine shops, dwellings and other buildings thereon as may be deemed necessary or desirable; may sue and be sued; may have and use a common seal; may make such by-laws for the regulation and government of said corporation in any and all matters whatsoever, not inconsistent with the Constitution and laws of the United States and this State, as may be deemed necessary, and may add to, alter and amend the same, from time to time, as may be desired; and shall have, generally, all rights, powers and privileges in law incident or appertaining to corporations.
- Mills, machine shops, &c.**
- Other rights.**
- Liability of stockholders.** SEC. 4. Each stockholder in the said corporation shall be severally liable to the creditors thereof in an amount, besides the value of his share or shares therein, not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditor was made: *Provided*, That such demnad shall have been payable within one year: *Provided*, also, That the proceeding to hold such stockholder liable therefor shall be commenced within two years after such debt may have become due and, whilst he remains a stockholder therein, or within two years after he shall have ceased to be such stockholder: *Provided*, further, That no person holding a share or shares as executor, administrator, trustee, or in any other fiduciary capacity, shall be liable thereon beyond the value of the estate held by him as such executor, administrator, trustee, or in any other fiduciary capacity.
- Provisoes.**
- Trustees.**
- Votes of stockholders.** SEC. 5. Each stockholder shall have one vote for each share of the capital stock of the said corporation he may own or represent at all elections and meetings of the company; and the said corporations hall have authority in its by-laws to make such regulations as may be deemed proper for the representation by proxy of such stockholders as may be absent at such elections and meetings.

SEC. 6. The capital stock of the said corporation shall be deemed personal property, and the said corporation shall have authority in its by-laws to make all such regulations as may be deemed necessary and proper for the issuing and transfer of such stock, or for enforcing and collecting, by sale or otherwise, all subscriptions made thereto.

A. D. 1885.

Shares of stock.

SEC. 7. That this Act shall be deemed and taken as a public Act, and shall continue in force for the term of thirty years, and until the final adjournment of the General Assembly meeting next thereafter.

Public Act.

Duration.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO REGULATE RECOGNIZANCES TO BE TAKEN BEFORE No. 187. TRIAL JUSTICES.

Amount of penalty. Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That recognizances entered into before a Trial Justice shall be according to the following scale :

1. If the offense charged be punishable with fine and imprisonment, or either, the recognizance of the accused shall not be for less than two hundred dollars.

Amount of recognizance.

2. In all cases the Trial Justice taking the recognizance shall cause the same to be in such large amount as the circumstances may seem to require.

Amount to be determined by circumstances.

A. D. 1885.
 Repealing
 clause.

3. That all Acts and parts of Acts inconsistent with or supplied by this Act be, and the same are hereby, repealed.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
 President of the Senate.
 JAMES SIMONS,
 Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
 Governor.

No. 188. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO RENEW, AMEND AND EXTEND THE CHARTER OF THE TOWN OF WALHALLA, SOUTH CAROLINA," APPROVED FEBRUARY 9TH, 1882.

Rate of taxation.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the approval of this Act the Town Council of Walhalla shall have power and authority to impose and collect an annual tax of thirty cents on every hundred dollars of the value of all real and personal property in the limits of said town.

Repealing
 clause.

SEC. 2. That all Acts or parts of Acts in conflict with the provisions of this Act are hereby repealed.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
 President of the Senate.
 JAMES SIMONS,
 Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
 Governor.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO PROHIBIT
THE SALE OF SPIRITUOUS AND MALT LIQUORS WITHIN
THE COUNTY OF BARNWELL," APPROVED DECEMBER 21ST,
1883.

A. D. 1885.

No. 189.

Permitting sale of domestic wines by the makers thereof.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section one (1) of an Act entitled "An Act to prohibit the sale of spirituous and malt liquors within the County of Barnwell," approved December 21st, 1883, be amended by adding to the said Section the following: *Provided*, That nothing contained in this Act shall be held to apply to sales by manufacturers of domestic wine manufactured by them from grapes grown in this State." So that said Section, as amended, shall read as follows:

A. A. 1883, §1.
18 Stat. 348.
amended by
adding pro-
viso.

SECTION 1. That from and after the passage of this Act it shall not be lawful for any person or persons whomsoever to sell, exchange, barter or trade any spirituous or malt liquors, wines, fruits prepared with spirituous liquors, bitters, or other beverages of which spirituous liquors form an ingredient, within the County of Barnwell: *Provided*, That nothing contained in this Act shall be held to apply to sales by manufacturers of domestic wine manufactured by them from grapes grown in this State, as authorized by Section 1735 of the General Statutes, 1882.

Section as
amended.

Sale of liquors
prohibited.

Except of
wine by manu-
facturers.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885. **AN ACT TO PROHIBIT THE CATCHING OF TERRAPINS BETWEEN
THE FIRST DAY OF APRIL AND THE THIRTIETH DAY OF
No. 190. JUNE IN ANY YEAR WITHIN CERTAIN COUNTIES.**

SEC. 1.—Catching of terrapins prohibited.

SEC. 2.—Penalties.

Catching of
terrapins pro-
hibited. SECTION 1. *Be it enacted* by the Senate and House of Repre-
sentatives of the State of South Carolina, now met and sitting
in General Assembly, and by the authority of the same, That
it shall be unlawful for any person to catch or trap terrapins
between the first day of April and the thirtieth day of June in
any year within the limits of Georgetown, Charleston, Beaufort,
Colleton and Berkeley Counties.

Penalties. SEC. 2. Any person violating the provisions of this Act shall
be guilty of a misdemeanor, and, on conviction, shall for each
offense be punished by imprisonment not exceeding thirty days
or fined not exceeding twenty dollars.

In the Senate House, the twenty-fourth day of December, in
the year of our Lord one thousand eight hundred and eighty-
five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

No. 191. AN ACT TO INCORPORATE THE MASON COTTON GIN COMPANY.

SEC. 1.—Incorporation. Name. Purposes. Powers.

SEC. 2.—Capital stock.

SEC. 3.—Rights and liabilities.

INCORPORATION. SECTION 1. *Be it enacted* by the Senate and House of Repre-
sentatives of the State of South Carolina, now met and sitting
in General Assembly, and by the authority of the same, That
C. T. Mason, B. R. Riordan, J. K. Blackman, A. T. Smythe,
J. S. Murdoch, F. W. Dawson, together with such other persons
as are or may hereafter be associated with them, be, and they
are hereby, declared a body politic and corporate, under the
Name and purposes. name and style of the Mason Cotton Gin Company, for the pur-

pose of manufacturing machines and implements for ginning cotton, or other agricultural purposes, and of selling or of working the same upon toll, hire or otherwise, and may erect such mills, buildings, machine shops and other works as may be required or necessary to carry on such branches of manufacture and business, and may make and procure such machinery, tools and implements as may be required or necessary for the same, with all other powers necessary to carry on the objects and purposes of the company.

A. D. 1885.

Powers.

SEC. 2. That the capital stock of said company shall consist of ten thousand dollars in shares of one hundred each: *Provided, however,* That the said corporation shall have the power of increasing the said capital stock to an extent not exceeding one million (1,000,000) dollars whenever so determined at any regular or special meeting by a vote of stockholders holding a majority of shares in the capital stock of the said corporation; and the said corporation shall, by its by-laws, provide for the manner of raising and distributing such additional capital stock, and subscription to the said capital stock may be made in money, work and materials, patent rights and such other equivalent as to the said company may seem proper.

Capital stock.

Increase.

SEC. 3. The said Cotton Gin Company shall have and possess, and is hereby invested with, each and every of the rights, powers, benefits and privileges granted to the Southern Cotton Picking Company in and by an Act of the General Assembly of South Carolina entitled "An Act to incorporate the Southern Cotton Picking Company," No. 91, approved the twenty-second day of December, A. D. 1882, except those contained in Section 7 thereof, and shall be further subject to each and every of the duties, liabilities, obligations, regulations and restrictions in said Act contained; and the liability of the stockholders of the said company shall be the same as in the said Act provided for the stockholders of the said Southern Cotton Picking Company.

Same rights,
&c., as South-
ern Cotton
Picking Co.

18 Stat. 134.

Liability of
stockholders.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.

JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.

No. 192.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED AN ACT CREATING A HARBOR COMMISSION FOR THE BAY AND HARBOR OF CHARLESTON, APPROVED 24TH DECEMBER, 1880," APPROVED DECEMBER 20TH, 1881.

SEC. 1.—Section 4 of the Act amended.

SEC. 2.—Section 10 amended.

SEC. 3.—Section 11 amended.

A. A. 1881, 24,
17 Stat. 604,
amended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section four (4) of the Act entitled "An Act to amend an Act entitled An Act creating a Harbor Commission for the bay and harbor of Charleston, approved 24th December, 1880," approved December 20, 1881, be, and the same is hereby, amended by inserting therein after the words "may see fit," on the fourth line, the words "for the regulation and government of vessels entering said port and waters, so as to provide for their safe and convenient use of the same, and." So that the said Section shall read as follows :

Section as
amended.
Jurisdiction
of Commissioners.

SECTION 4. That the said Board of Harbor Commissioners shall have jurisdiction over the harbor and bay of Charleston, and the rivers and creeks flowing therein, and shall make such regulations as they may see fit for the regulation and government of vessels entering said port and waters, so as to provide for their safe and convenient use of the same, and for the protection and preservation of the said bay and harbor, rivers and creeks from injury by means of deposit of ballast and other materials, the creation of obstructions, or for any other cause whatsoever, with authority to prescribe such penalties for the violation of the said regulations as they may deem adequate: *Provided*, That such penalty shall not exceed the sum of five hundred dollars for each offense, together with the expense of removing such obstructions or interferences with navigation. And the

Penalties.

Duties of
Solicitor.

Other duties
of Commissioners.

Solicitor of the Circuit shall be, and he is hereby, charged with the duty of enforcing such penalties upon the information and at the request of the said Board of Harbor Commissioners. They shall also take control of all quarantine stations and buildings in said harbor, designate and fix the location thereof, and make such regulations respecting the same as will secure the thorough and complete enforcement of the quarantine laws of this State. They are also invested with full power and author-

ity to preserve peace and good order in said bay and harbor : *Provided*, That none of the said regulations shall be repugnant to the laws of the land : *Provided, also*, That nothing herein contained shall be so construed as to limit or encroach upon the powers and duties imposed upon the State Board of Health by any Act or Acts of Assembly now of force, or which may hereafter be passed.

A. D. 1885.

Provisoes.

SEC. 2. That Section ten (10) of the said Act be, and the same is hereby, amended by inserting after the words "Port Wardens," in the sixth line thereof, the words "under the rules and regulations for the government of vessels within or entering into the said harbor and waters, or any of them, and for their safe and convenient use of said waters." So that the said Section shall read :

Section 10 of
same Act
amended.

SECTION 10. That the said Board of Harbor Commissioners shall have power to elect or appoint annually a Harbor Master and such number of Port Wardens as in their discretion are necessary for the bay and harbor of Charleston and the rivers and creeks flowing therein, and to define and assign the duties of such Harbor Master and Port Wardens under the rules and regulations for the government of vessels within or entering into the said harbor and waters, or any of them, and for their safe and convenient use of said waters, and regulate their compensation, with power to remove them, or any of them, at their discretion ; and the power and duties of the Harbor Master and Port Wardens heretofore appointing and acting shall cease and determine on the first Tuesday in January, 1882.

Section as
amended.
Harbor Mas-
ter and Port
Wardens.

SEC. 3. That Section 11 of said Act be, and the same is hereby, amended by striking out of same on the third line thereof the words "trading with" and inserting instead thereof the word "using;" and further, by adding at the end of said Section the words "in relation to the regulations for the safety and convenience of vessels entering the said port and waters, or any of them." So that the said Section shall read :

Section 11 of
same Act
amended.

SECTION 11. That the said Board of Harbor Commissioners shall be, and are hereby, invested with full power and authority to levy and collect from all vessels entering into and using the port of Charleston such fees and harbor or port charges, not inconsistent with law, as, in their discretion, may be necessary to pay the said Harbor Master and Port Wardens for the services required of them, and to defray the necessary expenses attendant upon the execution of the duties devolved upon the said Board

Section as
amended.Fees and port
charges.

A. D. 1885. under this Act in relation to the regulations for the safety and convenience of vessels entering the said port and waters, or any of them.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

No. 193. AN ACT TO INCORPORATE "THE PROSPERITY BUILDING AND LOAN ASSOCIATION."

SEC. 1.—Incorporation. Name. Capital stock.
SEC. 2.—Powers.
SEC. 3.—Real estate.
SEC. 4.—Advances to members.
SEC. 5.—Loans to non-members.
SEC. 6.—Division and dissolution.
SEC. 7.—Liability of stockholders.
SEC. 8.—Discounts of dividends.
SEC. 9.—Public Act. To take effect immediately.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Incorporation. Robert L. Luther, Hanson C. Mosely, Jefferson A. Sligh, Wm. A. Moseley, Jas. M. Wheeler, A. N. Langford, Levi S. Bowers, C. F. Boyd, I. L. Wise, together with such other persons who are or may be hereafter associated with them, be, and they are hereby, declared a body politic and corporate, for the purpose of making loans of money secured by mortgage on real or personal property, or by conveyance of the same to their members and stockholders, by the name and style of the Prosperity Building

Name. and Loan Association; the capital stock of said association to

Capital stock. consist of one thousand shares; but as soon as five hundred shares are subscribed thereto the said association shall have

How paid. power to organize and commence operations; said shares to be paid by successive monthly installments of one dollar on each

share as long as the corporation shall continue; the said shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines and forfeitures for default in their payments, according to such regulations as may be prescribed by the by-laws of said corporation.

A. D. 1885.

SEC. 2. That the said corporation shall have power and authority to make any such rules and by-laws for its government as are not repugnant to the Constitution and laws of the land; shall have such number and succession of members and officers as shall be ordained and chosen according to their said rules and by-laws, made or to be made by them; shall have and keep a common seal, and may alter the same at will; may sue and be sued, plead and be impleaded, in any Court of competent jurisdiction in this State, and shall have and enjoy all and every right and privilege incident and belonging to such corporate bodies according to the laws of the land.

Powers.

SEC. 3. That the said corporation shall have power to take, purchase and hold real estate, and to sell, mortgage and transfer the same from time to time to its members or others, on such terms and under such conditions and subject to such regulations as may be prescribed by the rules and by-laws of said corporation: *Provided*, That the real estate held by said corporation shall not at any time exceed the value of two hundred thousand dollars.

Real estate.

Limit.

SEC. 4. That the funds of said corporation shall be loaned and advanced to the members and stockholders upon the security of real and personal estate, and used in the purchase of real estate for the benefit of its members and stockholders, on such terms and under such conditions and subject to such regulations as may from time to time be prescribed by the rules and by-laws of said corporation; and it shall be lawful for the said corporation to hold such lands, tenements, hereditaments and personal property as shall be mortgaged or conveyed to them in good faith by way of security upon its loans and advances, and may sell, alien or mortgage, or otherwise dispose of the same, as they from time may deem expedient.

Advances to members.

Mortgages.

SEC. 5. That whenever it shall occur that the funds of the said corporation shall remain unproductive and uncalled for for the space of two months, the corporation shall have power to loan whatever amount may thus be on hand to others than stockholders and members at any rate of interest agreed upon not exceeding the legal rate.

Loans to non-members.

A. D. 1885.

Division and
dissolution.

SEC. 6. That whenever the funds and assets of said corporation shall have accumulated to such an amount that, upon a fair and just division thereof, each stockholder and member shall have received or be entitled to receive the sum of two hundred dollars, or property of that value, for each and every share of stock by him or her so held, and when such distribution and division of the funds shall have been made, then this corporation shall cease and determine.

Liability of
stockholders.

SEC. 7. That the members of the said corporation shall be individually liable for the debts of said corporation, each member to the extent of one year's annual dues which such member may owe to the said corporation according to its by-laws in the year in which he or she may be sued for said corporation debt, but such liability shall not attach until the corporation shall have been sued and *nulla bona* returned on execution in such suit.

Discounts of
dividends.

SEC. 8. That the said association in loaning money to its members shall have the right to permit them to bid by discounts in anticipation of dividends upon their stock for loans from said association : *Provided*, That no discount shall be allowed to exceed the sum of forty per cent. of the sum borrowed by such members.

Not exceed-
ing 40 per cent.

Public Act.

SEC. 9. This Act shall be deemed a public Act, and the same may be given in evidence without specially pleading the same, and shall take effect immediately.

When to take
effect.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO PERMIT THE SALE OF DOMESTIC WINES MANUFACTURED IN THIS STATE WITHOUT LICENSE.

A. D. 1885.

No. 194.

SEC. 1.—Sale permitted. To be in vessels and labeled.

SEC. 2.—Penalties.

SEC. 3.—Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act it shall be lawful for any person or persons in this State without license to sell, trade or barter, in quantities not less than one quart, domestic wine manufactured by such person or persons from grapes or berries grown within this State: *Provided*, That all wines sold under the provisions of this Act shall be put up in bottles, casks or demijohns containing not less than one quart, and that a label containing the name of the person or persons manufacturing and selling the same shall be placed upon each and every bottle of wine so sold by them.

Sale of wine by manufacturers permitted.

To be in vessels and labeled.

SEC. 2. That any person or persons violating the provisions of this Act shall, upon conviction thereof, be fined in a sum not more than fifty dollars, or by imprisonment not more than one month, or both fined and imprisoned, in the discretion of the Court.

Penalties.

SEC. 3. That all Acts or parts of Acts, general or special, contrary to the provisions of this Act be, and the same are hereby repealed, so far as they may be in conflict with this Act.

Repealing clause.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.
 No. 195.

AN ACT TO ESTABLISH A SEPARATE SCHOOL DISTRICT IN THE COUNTY OF COLLETON, TO BE KNOWN AS THE SCHOOL DISTRICT OF THE TOWN OF GEORGES, AND AUTHORIZE SAID TOWNSHIP TO LEVY AND COLLECT A SPECIAL TAX.

SEC. 1.—Area of School District.

SEC. 2.—Additional school tax.

Area of School District.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina now met and sitting in General Assembly and by the authority of the same, That the Town of Georges, including a radius of two and one-half miles in each direction from the intersection of Main and Society streets, in the County of Colleton, be, and is hereby, established as a separate School District of said County.

Additional school tax.

SEC. 2. That the voters of said School District who return real and personal property for taxation are authorized to levy and collect an annual tax to supplement the constitutional two mill tax, and for said purpose the Trustees of said Township, upon the written request of ten taxpayers of the Township, shall call a public meeting of said taxpayers at any time before the first day of June of each year, which meeting must be advertised in a newspaper published in said County, once a week for two weeks; and when assembled said meeting shall have the

Petition for meeting.

Powers of the meeting.

power to elect a Chairman and Secretary, to adjourn from time to time, to levy said special tax not exceeding two mills, and to appropriate the same to such purposes as a majority present shall see fit; that no tax so levied shall be repealed at any subsequent meeting; that within ten days after said meeting the Chairman thereof shall furnish the Board of Trustees and the County Auditor with the amount so levied, and the Auditor shall enter the same on his tax duplicate, and the Treasurer shall collect the same as other County and State taxes, which in like manner shall be a lien on the property of the Township, which shall be subject thereto in case of default in payment; that said tax so collected shall be paid out by the Treasurer

Provisions for collecting tax.

upon warrants drawn by the Board of Trustees, countersigned A. D. 1885.
by the County Commissioners.

In the Senate House, the twenty-fourth day of December, in
the year of our Lord one thousand eight hundred and eighty-
five.

J. C. SHEPPARD,
President of the Senate.

JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO EMPOWER THE COUNTY COMMISSIONERS OF NEW- No. 196.
BERRY AND LEXINGTON COUNTIES TO OPEN AND ESTABLISH
A CERTAIN PUBLIC HIGHWAY.

Power to Establish. Route.

Be it enacted by the Senate and House of Representa-
tives of the State of South Carolina, now met and sitting
in General Assembly, and by the authority of the same, That
the County Commissioners of the Counties of Newberry, and
Lexington be, and they are hereby, authorized and empowered, Authorized to
open road.
as soon as may be practicable, to meet together at Weissinger's
Store, on or before the 1st of April, 1886, and, if deemed advi-
sable by them, to open and establish a public road, beginning at
Jacob H. Boozer's, in Newberry County, on the McNary Ferry Route of road.
road, and leading by way of John L. Hunter's, Walter Wise's,
Derrick and Weissinger's Store and Macedonia Church to the
river road, near Henry Leaphart's, in Lexington County.

In the Senate House, the twenty-fourth day of December, in
the year of our Lord one thousand eight hundred and eighty-
five.

J. C. SHEPPARD,
President of the Senate.

JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.

No. 197.

AN ACT TO INCORPORATE THE NEWBERRY AND LAURENS
RAILROAD COMPANY.

- SEC. 1.—Incorporation. Name. Powers.
 SEC. 2.—Route of road.
 SEC. 3.—Capital stock. Organisation. President and Directors.
 SEC. 4.—Corporate subscriptions in bonds.
 SEC. 5.—Elections on question of subscription.
 SEC. 6.—Townships incorporated.
 SEC. 7.—Tax to pay interest on bonds.
 SEC. 8.—Representation of corporate stock.
 SEC. 9.—Crossing and connecting with other roads. Lands and rights of way.
 SEC. 10.—Purchase and lease of, and consolidating with, other roads.
 SEC. 11.—Liability of stockholders.
 SEC. 12.—Public Act. Duration. To go into effect immediately.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Corporators. Thomas A. McCreery, Fitz W. McMaster, John W. R. Pope, John T. Rhett, William B. Lowrance, Thomas T. Moore and George H. Shields, John C. Seegers, T. A. Pearce, Godfrey Leapheart, Isaiah Haltiwanger, Wade A. Lorick, J. Henry Counts, Martin Chapin, Simeon I. Hook, John M. Eleazer, W. S. Eleazer, J. W. Eargle, Jefferson A. Sligh, Hanson C. Moseley, George G. DeWalt, Levi S. Bowers, J. M. Wheeler, R. L. Luther, A. G. Wise, George S. Mower, Jordan P. Poole, Young J. Pope, O. B. Mayer, Jr., M. A. Carlisle, William Langford, O. L. Schumpert, George D. Cannon, W. A. Shand, Richard P. Clark, Frank G. Fuller, John A. Barksdale, John H. Wharton, Wm. B. Bell, J. Olynthus Fleming, and such other persons or corporations as may be associated with them, and their successors and assigns, be, and they are hereby, created a body politic and

Name and powers. corporate, by the name and style of the Columbia, Newberry and Laurens Railroad Company; and by that name to sue and be sued, plead and be impleaded, in any Court of Law and Equity in this State or in the United States; may make by-laws and appoint all necessary officers and prescribe their duties; and may accept, purchase, hold, lease or otherwise acquire any property, real or personal, necessary or convenient to and for the purposes hereinafter mentioned, and to use, sell and convey and dispose of the same as the interest of the said company requires; may make contracts, have and use a common seal, and to do all other lawful acts properly incident to and connected with said corporation and necessary and convenient for the control and transaction of its business: *Provided*, That their by-laws

be not repugnant to the Constitution and laws of this State or of the United States. A. D. 1885.

SEC. 2. That the said company be, and is hereby, authorized and empowered to construct, maintain and operate a railroad extending from the City of Columbia through the fork of Lexington and Newberry Counties by the way of the Town of Prosperity and the Town of Newberry to the Town of Laurens; and the said company shall have the power to extend the said railroad to any point on the boundary line between this State and the State of North Carolina, as the said company may hereafter determine. Route of road.

SEC. 3. That the capital stock of said company shall be five hundred thousand dollars in shares of twenty-five dollars each, with the privilege from time to time of increasing the capital stock in such amounts as said company may by a majority vote of the stockholders determine to carry out the purposes of this Act; said capital stock not to exceed, however, the sum of four million dollars, and such shares to be transferable in such manner as the by-laws may direct; that when the sum of twenty thousand dollars shall have been subscribed to the capital stock of said company, the said corporators or a majority of them shall within a reasonable time thereafter appoint a time and place for the meeting of said stockholders, of which thirty days' notice shall be given in such newspapers of the State as they may deem necessary, at which time and place the said stockholders may proceed to the organization of said company by the election of a President and ten Directors, who shall hold their offices for one year and until their successors are elected, which shall be the first Board of Directors. Capital stock.

Organization.
President and Directors.

SEC. 4. That in addition to the provisions contained in the preceding Sections for private subscription, it shall and may be lawful for any County, Township, town or city interested in the construction of said railroad to subscribe to its capital stock such sum as a majority of the voters of such County, Township, town or city who hold real estate therein may authorize the County Commissioners or the proper authorities of such city or town to subscribe; which subscription shall be made in coupon bonds bearing six per cent. interest, and to be received by the said company at par; said bonds to be made payable 15, 20 and 25 years after the date thereof, and to of the denomination of one hundred (100) dollars, five hundred (500) dollars and one thousand (1,000) dollars. Corporate sub-
scriptions.

To be made
in bonds.

A. D. 1895.

Election on
question of
subscription.

Managers.

Ballots.

Notice.

Voters.

Determining
the result.

Contests.

Subscription
to be made.

SEC. 5. That for the purpose of determining the amount of such subscription, it shall be the duty of the County Commissioners of the County proposing to make the same, or in which the Township or Townships proposing to make the same may be situated, or the proper authorities of the city or town proposing so to subscribe, upon the application of a majority of the freehold voters owning the real estate in such County, Township, town or city, specifying the amount to be subscribed therein, to submit to the qualified voters of such County, Township, town or city, as the case may be, the question of subscription or no subscription to the capital stock of said company; and the said County Commissioners, or the proper authorities of such town or city, as the case may be, shall have the power to order an election, specifying the time, place and purpose of the election, and to appoint three (3) Managers at each election precinct, who shall, without compensation, hold and conduct said election, at which election the ballots shall have written or printed thereon either the word "subscription" or the words "no subscription," the said County Commissioners or the proper authorities of said town or city having first, by resolution, fixed the amount to be subscribed according to the request of the commission submitted to them. Notice of such resolution shall be given in one newspaper published in the County so proposing to subscribe, or in which such Township, town or city may be situated, for forty days next previous to the election, and at such election only those voters of the said County, Township, town or city, as the case may be, who are qualified electors therein shall be entitled to vote: *Provided*, That registration shall not be required as a qualification for voting at such election. It shall be the duty of the Managers to count the votes at their respective precincts, and make their return to the County Commissioners, or to the authorities of said town or city, as the case may be, who shall receive and tabulate the same and declare the result, which result shall be certified to as correct by said County Commissioners, or city or town authorities, and filed in their respective offices. Contests in such elections shall be heard and determined by the County Commissioners, or city or town authorities, as the case may be. In case a majority of the ballots cast at such election shall have written or printed thereon "subscription," then the Chairman of the Board of County Commissioners shall be authorized and required to subscribe to the capital stock of said company, in

behalf of said County or Township subscribing, the sum which may have been fixed and named in the resolution of the said Board, which subscription shall be made in six per cent. coupon bonds, as hereinbefore provided, with interest payable annually. In all subscriptions made under the direction of a County or Township election, as authorized by this Act, it shall be so expressed in the bonds and coupons issued in payment of such subscription; and all the tax levies for the purpose of raising funds to pay the said bonds or coupons shall be made only upon the taxable property in such County or Township; and if a majority of the ballots cast in any town or city election shall be for subscription, the proper authorities of such town or city are authorized and required to subscribe in behalf of such town or city, in like manner and to like extent as the County Commissioners are herein required in cases of County or Township subscriptions.

A. D. 1885.

Declaration
in the bonds.

Tax levies.

Town or city
subscription.

SEC. 6. That the Townships in the Counties of Richland, Newberry, Lexington and Laurens through which the said railroad may be located, and any other Townships in said Counties which may be interested in the construction of said railroad and may vote a subscription thereto, be, and they are hereby, created bodies politic and corporate, under their respective names, and they are invested with all the necessary powers to carry out the provisions of this Act; and they may sue and be sued, in respect to any rights or causes growing out of the provisions of this Act; and the County Commissioners of the Counties of Richland, Newberry, Lexington and Laurens are hereby declared to be corporate agents of the Townships mentioned in their respective Counties.

Agents of the
Townships.

SEC. 7. That for the payment of the interest on said bonds, the County Auditor, or the City or Town Treasurer, or other officer in said County, town or city discharging such duties, as the case may be, shall be authorized and required to assess annually upon the property of such County, Township, town or city such per centum as may be necessary to pay said interest, which shall be known and styled in the tax books as said railroad tax, which shall be collected by the Treasurer under the same regulations as are provided by law for the collection of taxes in any of the Counties, Townships, towns or cities so subscribing, and shall be paid over by the said Treasurer to the holders of said bonds as the said interest shall become due.

Assessment
and collection
of taxes to pay
interest.To be paid
over.

A. D. 1885.

Representatives of corporate stock.

SEC. 8. That in all conventions of the stockholders of said company, such County, Township, town or city as may subscribe to the capital stock thereof may be represented by not less than three nor more than five delegates, who shall be chosen by a convention of the property holding voters of said County, Township, town or city, private stockholders representing their own stock in person or by proxy duly executed.

Crossing and connecting with other roads.

SEC. 9. That the said railroad company shall have full power and authority to connect with or cross over all other railroads on its proposed line, and shall have every right, privilege and power necessary for the purpose of acquiring such lands or rights of way as they may require for the location or construction, by any route the Directors of said railroad may agree upon, or for the erection or location of depots, warehouses, stations or other necessary establishments, or for extending or altering the same, and the said company shall have the benefit of every process or proceeding, and be subject to all the restrictions, now provided by law in such cases.

Lands and rights of way.

Right to purchase, &c., other roads.

SEC. 10. That the said company is authorized to purchase, lease or consolidate with any railroad company now existing or which may hereafter exist under the laws of this State or any other State with which its lines may connect.

Liability of stockholders.

SEC. 11. Each stockholder in the said corporation shall be jointly and severally liable to the creditors thereof in an amount, besides the value of his share or shares therein, not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditor was created: *Provided*, That such demand shall have been payable within one year: *Provided, also*, That proceedings to hold such stockholder liable therefor shall be commenced whilst he remains a stockholder therein, or within two years after he shall have ceased to be such stockholder: *Provided, further*, That persons holding stock in such company as executors, administrators, or by way of collateral security, shall not be personally subject to the liabilities of the stockholders under the foregoing provisions; but the person pledging such stock shall be liable as a stockholder, and the estates and funds in the hands of such executors or administrators shall be liable in their hands in like manner and to the same extent as a deceased testator or intestate, or the ward or person interested in such trust fund, would have been if they had respectively been living and competent to act and hold the stock in their own names.

Provisoes.

Trustees.

SEC. 12. That this Act shall be a public Act, to continue of force for thirty years, and to take effect on and after its passage: *Provided*, That this charter shall cease and determine unless the construction of said railroad is commenced on or before January first, 1888, and completed on or before January first, 1898.

A. D. 1885.

Public Act.

Duration.

When to take effect.

Conditional limitation.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO INCORPORATE THE ORANGEBURG AND LEWIE-DALE RAILROAD COMPANY. No. 198.

- SEC. 1.—Incorporation. Name and powers.
SEC. 2.—Route of road.
SEC. 3.—Capital stock. Organization.
SEC. 4.—Consolidation with other roads.
SEC. 5.—Rights and limitations.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That J. H. Lewie, J. C. Fort, D. J. Griffith, A. Mims, S. P. Drafts, D. M. Crosson, Wade Leaphart, J. F. Leaphart, James F. Izlar, Samuel Dibble, B. H. Knotts, John A. Hamilton, George H. Cornels, Thomas M. Raysor, George W. Brunson, John E. Bull, B. Frank Slater and D. J. Holman, their successors and assigns, be, and they are hereby, created a body politic, under the name and style of the Orangeburg and Lewiedale Railroad Company, with the general rights and powers incident to such corporations under the laws of this State.

Incorporation.

Name and powers.

SEC. 2. That the Orangeburg and Lewiedale Railroad Company shall have power to construct a railroad, with one or more tracks, from Orangeburg, in Orangeburg County, to Lewiedale, in Lexington County; the route to be determined by a majority of the Board of Directors and corporators.

Route of road.

- A. D. 1885.** **SEC. 3.** The capital stock of said company shall be one hundred thousand dollars, with the privilege of increasing the same to one million dollars, if so much be necessary to complete the road, divided into shares of one hundred dollars each; and the corporators above named are hereby authorized to open books of
- Capital stock.** subscription to the capital stock of said company, and organize the same at such time and in such manner as they may deem advisable, to be determined by the majority of the corporators, and may begin work whenever twenty-five thousand dollars shall have been subscribed to said capital stock.
- Organization.** **SEC. 4.** The said company, when organized, shall have the right to consolidate with any other railroad corporation upon such terms as a majority of the corporators and Board of Directors shall determine.
- Consolidation with other roads.** **SEC. 5.** That the company hereby created shall have all the powers, rights and privileges, consistent with its purposes and the limitations hereinbefore prescribed, granted by the charter of the Raleigh and Augusta Air Line Railroad Company by an Act passed by the General Assembly of South Carolina, approved February 18, 1878, being Act No. 350 of the 16th vol. Statutes at
- 16 Stat. 370.** **Large,** except that the time for the commencement of work on said road, and for the completion of the same, contained in the 8th Section of said charter, shall not apply to the company chartered hereby: *Provided*, That nothing herein contained shall be construed to exempt said corporation from taxation under the laws of this State.
- Exception.** **Subject to taxation.**

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE UNION, GAFFNEY CITY AND RUTHERFORDTON RAILROAD COMPANY" AND THE ACTS AMENDATORY THEREOF. A. D. 1885.
No. 199.

Sec. 1.—Name changed. Rights, contracts, &c., continued.

Sec. 2.—Capital stock increased.

Sec. 3.—Amendments of the Act of incorporation, to wit:

SECTION 21.—Branch roads.

SECTION 23.—President and Directors in office and future Boards.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Act entitled "An Act to incorporate the Union, Gaffney City and Rutherfordton Railroad Company," approved March 18th, 1878, be, and the same is hereby, amended as follows: That the words "Union, Gaffney City and Rutherfordton" in the first Section of the said Act approved March 18th, 1878, be, and are hereby, stricken out and the words "Atlantic and Northwestern" inserted therefor, so that the corporate name and style of the body politic constituted by the said Act and the Acts amendatory thereof shall, after the approval of this Bill, be "The Atlantic and Northwestern Railroad Company." That all the rights, powers, privileges, franchises and immunities conferred upon and enjoyed by the said "Union, Gaffney City and Rutherfordton Railroad Company" under the said Act of incorporation and under the Acts amending the same be, and the same are hereby, continued to and conferred upon said railroad company under its new corporate name of "The Atlantic and Northwestern Railroad Company;" and all obligations and contracts, subscriptions, petitions for elections, and acts entered into, made and done by the said railroad company under its original corporate name, or by individual persons, Boards of County Commissioners or bodies corporate, under at by virtue of the said Act of incorporation or by the Acts amendatory thereof, shall be binding upon and carried out respectively by the railroad company under its corporate name of "The Atlantic and Northwestern Railroad Company," and by such individual persons, Boards of County Commissioners or bodies corporate, in the same manner and as fully as if such obligations, contracts, subscriptions, petitions for elections or acts had originally made, entered into or done by or with reference to said railroad company under the corporate name of "The Atlantic and Northwestern Railroad Company."

A. A. 1878, § 1,
16 Stat. 509,
amended.

Name changed.

Rights, franchises, &c., continued.

Contracts, petitions for election, &c., binding.

A. D. 1885.
Capital stock
increased.

SEC. 2. That the words "one million" in the second line of Section 4 of the said Act approved March 18th, 1878, be stricken out and the words "five millions" be inserted in lieu thereof.

SEC. 3. That said Act be, and the same is hereby, further amended by adding another Section, to be known as Section 21, which shall read as follows :

Branch roads. SECTION 21. That the said railroad company be also authorized to build a railroad from any point on the line of their proposed road to Columbia or to Charleston, or to both of said points, or from Union Court House to the Town of Blacks, on the Atlanta and Charlotte Air Line Railroad in York County, by the most practicable routes as may be determined upon by the said company.

Present officers continued
and acts validated.

SECTION 23. That the present officers and Directors of said company shall serve for twelve months from the date of ratification of this Act and until their successors are elected ; and all of their acts as officers of said company shall be valid, and thereafter the officers and Directors of said company shall be elected at annual meetings of the stockholders called for that purpose, notice of which shall be published for thirty days in one or more newspapers published in the Towns of Union and

Future elections.

Term of office.

Gaffney City ; and the term of office of the President and Directors shall be for one year and until their successors are elected.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO INCORPORATE THE ORANGEBURG AND NINETY-SIX
NARROW GAUGE RAILROAD COMPANY.

A. D. 1885.

No. 200.

- SEC. 1.—Incorporation. Name and route of road.
 SEC. 2.—Powers. Directors. President.
 SEC. 3.—Capital stock. Property rights. Bonds and mortgages.
 SEC. 4.—Townships authorized to subscribe and incorporated.
 SEC. 5.—Right to cross other roads, streams, &c.
 SEC. 6.—Lands and rights of way.
 SEC. 7.—Liability of stockholders.
 SEC. 8.—Public Act. To take effect immediately.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That A. P. West, B. N. Bodie, J. A. Sease, S. F. Hendrix, D. D. Mitchell, A. J. Kinard, J. S. Derrick, Samuel Dibble, A. S. Hydrick, J. D. Jones, S. Kohn, and all such persons or corporations as they may associate with themselves, and their successors and assigns, are hereby made and constituted a body politic and corporate, under the name and style of the Orangeburg and Ninety-Six Narrow Gauge Railroad Company, for the purpose of establishing and operating a railroad from Orangeburg, in Orangeburg County, to the Town of Ninety-Six, in Abbeville County, to pass through the Town of Leesville, in Lexington County.

SEC. 2. That the said corporation may have a common seal ; may sue and be sued, plead and be impleaded, in any Court of this State ; and make all such rules, regulations and by-laws as are not inconsistent with the law of the land ; that the affairs of the company shall be managed by such number of Directors as may be determined by the stockholders from their number annually ; and that the President be chosen by the Directors from their own number.

SEC. 3. That the capital stock of said company shall be twenty-five thousand dollars, with the privilege of increasing said capital stock to such an amount as may be found necessary to construct and equip the said railroad and carry on the business of the company, not to exceed in the aggregate one hundred thousand dollars ; said capital stock to be divided into shares of one hundred dollars each, and each shareholder to have the right of one vote for each share of stock held by him ; and for the purpose of raising said capital stock it shall be lawful to open books of subscription at such time and places, and to keep them open for such periods of time and under the direction of such persons, as may be determined on by a majority of said incorporators ; that

A. D. 1885.
 Subscriptions,
 how made.

Property
 rights.

Bonds and
 mortgages.

Townships
 authorized to
 subscribe and
 incorporated.

May cross
 other roads,
 streams, &c.

Lands and
 rights of way.

Liability of
 stockholders.

Provisoos.

subscriptions may be made in labor, materials, lands or money, or other personal property, at such rates and on such terms as may be agreed upon at the time of subscription ; and the said railroad company may purchase and hold all real and personal estate necessary for the construction of the road and for conducting the business of the said company ; and shall have the power to mortgage its property and franchises, and to issue bonds on such terms and conditions and for such uses and purposes of said corporation as its Board of Directors may deem expedient.

SEC. 4. That the Townships through which the said railroad may be located, and any other Townships which may be interested in the construction of said railroad and may vote a subscription thereto, be, and they are hereby, created bodies politic and corporate under their respective names, and they are invested with all the necessary powers to carry out the provisions of this Act ; and they may sue and be sued in respect to any rights or causes growing out of the provisions of this Act : and the County Commissioners of the Counties in which such towns are or may be situated are hereby declared to be corporate agents of said Townships.

SEC. 5. That said company shall have the power, if need be, to conduct the said railroad across any public road, rivers, creeks, waters or water courses that may be in the route : *Provided*, That the usual and convenient methods may be taken to secure the passage of the said roads or the navigation of said streams.

SEC. 6. That said company shall be entitled to the benefit of the provisions of the General Statutes now of force as to the manner of condemning lands and acquiring the rights of way for the purposes of this charter, and of every process or proceeding imposed by law, and subject to the restrictions of the same : *Provided, however*, Nothing herein contained shall be so construed as to exempt the company from the payment of taxes.

SEC. 7. Each stockholder in said corporation shall be jointly and severally liable to the creditors thereof in an amount, besides the value of his share or shares therein, not exceeding five per cent. of the par value of the share or shares held by him at the time the demand of the creditors was created : *Provided*, That such demand shall have been payable within one year : *Provided, also*, That proceedings to hold such stockholder liable therefor shall be commenced whilst he remains a stockholder therein, or within two years after he shall have ceased to be such stockholder : *Provided, further*, That persons holding

stock in such company as executors, administrators, or by way of collateral security, shall not be personally subject to the liabilities of the stockholders under the foregoing provisions; but the person pledging such stock shall be liable as a stockholder, and the estates and funds in the hands of such executors or administrators shall be liable in their hands in like manner and to the same extent as the deceased testator or intestate, or ward or person interested in such trust fund, would have been if they had respectively been living and competent to act and hold the stock in their own names.

A. D. 1885.

Trustees.

SEC. 8. That this Act shall be deemed a public Act, and take effect immediately after its passage.

Public Act.
When to take
effect.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND CHAPTER XXXVI OF THE GENERAL No. 201.
STATUTES, IN REFERENCE TO BANKS AND BANKING, BY
ADDING THERETO A SECTION TO BE KNOWN AS SECTION
1352 (a).

Relieving stockholders and Directors from certain liabilities.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Chapter XXXVI of the General Statutes of this State be, and the same is hereby, amended by adding thereto the following as a Section, to be known and designated as Section 1352 (a):

Gen. Stat.
Ch. XXXVII
amended.

SECTION 1352 (a). The provisions of Sections 1362, 1366, 1367 and 1368 of the General Statutes of this State shall not be held or deemed applicable to any bank, savings bank or other

Additional
Sections, re-
lieving of cer-
tain liabilities.

A. D. 1885.

banking institution now in existence or hereafter to be created under or by virtue of any Act of the General Assembly of this State, either general or special.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

No. 202. AN ACT TO CHARTER THE "LOAN AND EXCHANGE BANK OF SOUTH CAROLINA."

- Sec. 1.—Incorporation. Name and powers.
- Sec. 2.—Capital stock.
- Sec. 3.—Investments. Loans and discounts.
- Sec. 4.—Deposits. Interest.
- Sec. 5.—Penalties for non-payment of stock subscriptions.
- Sec. 6.—Scrip for stock.
- Sec. 7.—Rights of withdrawing stockholders.
- Sec. 8.—Definition of "actual values."
- Sec. 9.—Dividends.
- Sec. 10.—President and Directors. Vacancies. Other officers.
- Sec. 11.—Meetings.
- Sec. 12.—Branch offices.
- Sec. 13.—Public Act. When to take effect. Duration.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Incorporation. W. C. Fisher, B. W. Taylor, N. W. Trump, Allen J. Green, Thomas Taylor, W. B. Lowrance and T. B. Aughtry, together with such other persons as are now or may hereafter be associated with them, shall be, and they are hereby constituted and made, a body politic and corporate, by the name and style of

Name and powers. the "Loan and Exchange Bank of South Carolina," and by that name and style shall be, and is hereby, made capable in law to have, purchase, enjoy and retain, to it and its successors, lands, rents, tenements, goods, chattels and effects, of whatever kind or quality soever, and the same to sell, alien or dispose of; to

sue and be sued, to plead and be impleaded, to answer and be answered, defend and be defended, in Courts of record, or any other place whatsoever; and, also, to make, have and use a common seal, and the same to break, alter and renew at their pleasure; and, also, to ordain and put in execution such by-laws and regulations as may seem necessary and convenient for the government of said corporation, not being contrary to the laws of this State or the Constitution thereof.

A. D. 1885.

SEC. 2. The capital stock of said corporation shall not be less than twenty thousand dollars, which may be increased from time to time to a sum not exceeding five hundred thousand dollars, and shall be paid in and accumulated as may be provided by the by-laws or required by the Directors.

Capital stock.

SEC. 3. The said corporation shall have power and authority to invest its capital stock, or other funds, in bank or other stocks, in the purchase of bonds of the United States, bonds issued by this or any other State of the United States, and in bonds of any incorporated company; to lend money upon personal or real security, to discount bonds, notes and bills of exchange, and to guarantee the payment of notes, bonds, bills of exchange, or other evidences of debt.

Investments.

Loans and discounts.

SEC. 4. The said corporation shall receive deposits from any person or persons, and all such deposits may be invested as the Board of Directors may deem most advantageous, and in accordance with Section third, and interest may be allowed to the depositors thereof as may be directed or provided for by the by-laws of the institution.

Deposits.

Interest.

SEC. 5. Any subscriber failing to pay any installment that may be due upon his subscription within the time allotted therefor (as shall be provided under the provisions of Section 2 of this Act) shall be fined five cents per share for such delinquency, and for each succeeding ten days of such delinquency ten cents per share additional; and if at the expiration of two months such delinquency shall still exist, the stock shall be sold at public auction, the proceeds of which shall be paid to such delinquent stockholder, after deducting all fines that may be charged against him, and his proportion of all losses sustained and expenses incurred by the institution in the course of its business.

Fines for non-payment of installments.

Sale of stock.

SEC. 6. As soon as the stock becomes of the value of one hundred dollars per share, scrip shall be issued to each stockholder for the number of shares standing in his or her name on the

Scrip for stock.

- A. D 1885.** books of the institution, signed by the President and Cashier, with the corporate seal of the bank affixed.
- Rights of withdrawing stockholder.** SEC. 7. Any stockholder, at any time prior to the stock becoming of the value of one hundred dollars per share, may withdraw from the institution, upon written notice being given at any regular meeting of the Board of Directors, and at the expiration of ninety days the institution shall pay to said stockholder the actual value of his or her stock at the date of notice of withdrawal, or said stockholder may sell his or her interest to any other person, the purchaser being placed on an equality with the other stockholders.
- Definition of actual value.** SEC. 8. By actual value of the stock is meant the amount paid in by each stockholder, together with his or her proportion of any profits, and deducting therefrom his or her proportion of any losses that may have occurred, and withholding his or her portion of any investments about which the Board of Directors may be doubtful until they are satisfied.
- Dividends.** SEC. 9. As soon after the stock becomes of the value of one hundred dollars per share, and scrip is issued therefor, the Directors may make dividends at such times, and of so much of the profits of the bank, as shall appear to them advisable.
- President and Directors.** SEC. 10. There shall be elected, as soon after the ratification of this Act as the incorporators and subscribers may deem advisable, and annually thereafter, seven Directors, from their number, who shall appoint one of their number President, and may fill any vacancy occurring in the Board, unless it be by removal, in which case the members shall fill the same in general meeting.
- Vacancies.** SEC. 10. There shall be elected, as soon after the ratification of this Act as the incorporators and subscribers may deem advisable, and annually thereafter, seven Directors, from their number, who shall appoint one of their number President, and may fill any vacancy occurring in the Board, unless it be by removal, in which case the members shall fill the same in general meeting.
- Other officers.** The Board shall appoint (to hold at its pleasure) the subordinate officers and agents, prescribe their duties and compensation, and take from them such bonds, with security, as it may deem advisable.
- Meetings.** SEC. 11. It shall be competent, at any general meeting of the stockholders, to change the time of holding the annual meetings; and extra meetings may be called at any time, upon a written application to the Board of Directors, signed by stockholders representing not less than one-half of the capital stock; and at all meetings of stockholders each share shall entitle its holder to one vote, and a representation of a majority of the entire stock by the holders, in person or by their proxies, shall be requisite to constitute a quorum.
- Votes of shareholders.** SEC. 11. It shall be competent, at any general meeting of the stockholders, to change the time of holding the annual meetings; and extra meetings may be called at any time, upon a written application to the Board of Directors, signed by stockholders representing not less than one-half of the capital stock; and at all meetings of stockholders each share shall entitle its holder to one vote, and a representation of a majority of the entire stock by the holders, in person or by their proxies, shall be requisite to constitute a quorum.
- Branch offices.** SEC. 12. The said corporation shall have authority to establish branch offices at such points in this State as the Directors

may elect: *Provided*, That the business transacted at such branch offices shall constitute a part of the general business of the bank, and shall be reported to the office in Columbia at least once every month.

A. D. 1885.

SEC. 13. This Act shall be deemed a public Act, and shall be judicially taken notice of without special pleading; and the charter hereby granted shall be in force from its passage, and continue in force for a period of thirty years.

Public Act.

When to take effect.
Duration.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.

JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND AN ACT ENTITLED AN ACT TO LIMIT THE No. 203.
AGES OF PUPILS ATTENDING THE FREE PUBLIC SCHOOLS,
APPROVED DECEMBER 22D, 1883.

Ages within which pupils may attend public schools.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to limit the ages of pupils attending the free public schools," approved December 22d, A. D. 1883, be, and the same is hereby, amended by striking out the whole of the first Section of said Act and inserting the following in lieu thereof:

A. A. 1883,
§ 1. 18 Stat. 368.
amended.

SECTION 1. That from and after the passage of this Act, it shall not be lawful for any person who is less than six or more than eighteen years of age to attend any of the free public schools.

Ages of pupils
permitted to
attend.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.

JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.

AN ACT TO INCORPORATE THE GREENVILLE WINE COMPANY.

No. 204.

SEC. 1.—Incorporation. Name and location. Capital stock.

SEC. 2.—Powers. Property rights. Branch offices.

SEC. 3.—Officers. By-laws. Meetings.

SEC. 4.—Capital stock. Shares. Organization.

SEC. 5.—Vacancies. Books open to inspection.

SEC. 6.—Liability for debt.

SEC. 7.—When to take effect. Duration. Public Act

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Incorporation. Julius H. Heyward and A. Carpin, together with such other persons as may hereafter be associated with them, shall be, and they are hereby constituted and made, a body politic and corporate, by the name and style of "The Greenville Wine Company," with their principal office in or near the City of Greenville, South Carolina: *Provided*, That the capital stock of said company shall not exceed the sum of one hundred thousand dollars: *And provided, further*, That this Act shall not have the force of law until five thousand dollars of the capital stock shall have been subscribed.

Powers. SEC. 2. That said corporation shall have power and authority to carry on the business of making and selling domestic wines from grapes grown in this State; to use and keep a common seal; to sue and be sued, and to have and enjoy all and every right incident and belonging to incorporated bodies of like character; to take, hold and dispose of their capital stock according to such rules and regulations as they may from time to time establish; to take, hold and dispose of or invest the increase, profits or emoluments of their capital stock; to acquire and hold in their corporate name lands and real estate, and the same to demise, grant, sell, convey in fee simple, or otherwise

Property rights. use or dispose of; and shall have authority to establish branch offices at such other points in this State as they may elect for the purpose of disposing of their products, or for any other purpose within the scope of their said business of wine making and selling domestic wines: *Provided*, That sales shall be made in quantities of not less than one gallon.

Officers. SEC. 3. The business and property of said corporation shall be managed and controlled by a President, Vice President, Secretary and Treasurer, three Directors, and such other officers as may be elected by the stockholders; that said stockholders shall have power to make such rules and by-laws, not repugnant to the laws of the land, as they may desire, and to alter and

By-laws.

amend the same at their pleasure. Regular meetings of said stockholders shall be held annually in the City of Greenville, on the first Tuesday in August, and special meetings shall be held in the same city whenever called for by the holders of not less than one-fourth of the shares of the capital stock: *Provided*, That the call for such special meeting shall be signed by the stockholders calling the same, and a copy thereof mailed to each and every stockholder at least ten days before the time appointed for such meeting. Absent stockholders may vote by proxy, and a representation of a majority of the entire stock by the holders thereof or their proxies shall constitute a quorum for the transaction of business, and all officers elected shall hold office for one year from the time of their election. No officer shall be elected at a special meeting.

A.D. 1885.

Meetings. *

Voting by
stockholders.Term of office
and time of
election.Capital stock
and shares.

Organization.

Vacancies.

Books to be
open to inspec-
tion.Liability for
debts.When to take
effect.
Duration.

Public Act.

SEC. 4. The capital stock of said corporation shall be divided into two hundred and fifty shares of fifty dollars each, which shares shall be deemed personal property and shall be transferred only on the books of said corporation, in such manner as the Directors may prescribe; and said corporation may organize and commence business as soon as five thousand dollars of said stock shall have been subscribed for and twenty-five per cent. of the same actually paid into the Treasury of said corporation in cash.

SEC. 5. The President and Directors, or a majority of them, shall have power to fill vacancies in any office occurring between the regular meetings of the stockholders, and all books of the incorporation shall at all times be open to the inspection of the stockholders.

SEC. 6. That the property of said corporation, real and personal, shall be liable for its debts; and the liability of the stockholders shall be in accordance with the provisions of Section 1362 of General Statutes.

SEC. 7. That this Act shall go into effect on and after its ratification and approval by the Governor, shall continue in force for the space of thirty years, and shall be deemed a public Act.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

A. D. 1885.

No. 205.

AN ACT TO REQUIRE THE COUNTY COMMISSIONERS OF HORRY COUNTY TO KEEP UP AND MAINTAIN THE FENCE BETWEEN HORRY AND GEORGETOWN COUNTIES.

SEC. 1.—Fence to be maintained and protected.

SEC. 2.—Authority to sell surplus material.

SEC. 3.—Payment of expenses.

To maintain
and protect the
fence.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Horry County be, and they are hereby, required to keep up and maintain the fence built on the line between Horry and Georgetown Counties from year to year till this Act be repealed; and they shall take all necessary measures to protect said fence from destruction, and shall keep it in good condition and repair.

May sell sur-
plus material.

SEC. 2. The said County Commissioners are hereby authorized to sell the surplus barbed wire or other material left over after building said fence, or so much thereof as may not be needed for the purpose of repairing said fence, the proceeds of any such sale to be placed in the County Treasury for general County purposes.

Payment of
expenses.

SEC. 3. The expenses necessary to carry out the provisions of this Act shall be paid from the general County funds, and if there be not enough such funds to pay the same it shall be the duty of said County Commissioners to include the same each year in their annual estimate for County expenses.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO REVIVE, RENEW AND EXTEND THE CHARTER OF THE CHARLESTON LIGHT DRAGOONS," APPROVED JANUARY 31ST, 1882. A. D. 1885.
No. 206.

SEC. 1.—Additional Sections added, to wit:

SECTION 2.—Continuation of charter rights.

SECTION 3.—Acts of the corporation validated.

SEC. 2.—Public Act from approval. Duration.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to revive, renew and extend the charter of the Charleston Light Dragoons," approved January 31, 1882, be, and the same is hereby, amended by adding thereto the following Sections: A. A. 1882,
17 Stat. 667
amended.

"SECTION 2. That all the powers, privileges and franchises, and all the property, real and personal, held, used and employed by the said corporation at the time of the expiration of its said charter, or since acquired by said corporation, be, and the same are hereby, vested and confirmed in the said corporation as though the said charter had not expired." Additional
Sections.

Continuation
of charter
rights.

"SECTION 3. That all acts done by the said corporation, and all gifts, grants, deeds and conveyances of any kind whatever made by the said corporation, or its officers in its behalf, since the expiration of the charter aforesaid, be, and the same are hereby, validated and confirmed, and the same shall be as effectual as though the said charter had never expired." Acts of the
corporation
validated.

SEC. 2. That the said Act as amended shall be deemed a public Act and shall continue in force for the period of twenty-one years from the approval of this Act. Public Act
from approval.
Duration.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.

No. 207.

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF A NEW SCHOOL DISTRICT IN GREENVILLE COUNTY, AND TO AUTHORIZE THE LEVY AND COLLECTION OF A LOCAL TAX THEREIN.

SEC. 1.—Separate School District in Greenville City.

SEC. 2.—Name and incorporation.

SEC. 3.—Powers of taxation.

SEC. 4.—Powers of the meeting. Trustees and their powers.

SEC. 5.—Assessment and collection of school tax.

SEC. 6.—Disbursement. Buildings.

SEC. 7.—Present Trustees to act.

SEC. 8.—To take effect immediately. Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of maintaining public schools in the City of Greenville, the County Board of Examiners of Greenville County be, and they are hereby, authorized and required to lay off a separate School District, embracing the territory included in the corporate limits of said city.

Separate
School District
in Greenville
City.

Name and in-
corporation.

SEC. 2. That the said District shall be known as the School District of the City of Greenville, and shall be a body politic and corporate, with such government, rights, privileges and liabilities as are provided for School Districts by the School Law of South Carolina, approved March 22, 1878.

Powers of
taxation.

SEC. 3. That in addition to the rights and privileges hereinbefore granted, the said School District shall have power to levy on all real and personal property returned in said District a tax not exceeding two mills on the dollar, subject to the following provisions: The School Trustees of said District shall at any time previous to the thirtieth (30th) day of June of each year, upon the written request of twenty property holders, issue a call for a public meeting (after two weeks' notice) of all those citizens who return real or personal property in said District, and such notice shall be published in at least one newspaper and posted in two public places in said District for at least two weeks before such meeting, and shall specify the time and place and object of said meeting.

Powers of
the meeting.

SEC. 4. That when the persons answering the above description shall have assembled in public meeting, they shall have power: First, To select a Chairman and Secretary, adjourn from time to time, decide what additional tax, if any, shall be levied, and appropriate the same in such manner as they may

think best for the educational interests of said School District :

A.D. 1885.

Provided, That no tax thus levied shall be repealed at any subsequent meeting within the same year. Second, That they shall also have power to select a Board of six Trustees for said School District, one of whom shall be a resident in each of the wards in the City of Greenville, whose term of office shall be for two years from the date of election, and who, in addition to the duties and responsibilities now provided by law for Trustees of School Districts, shall have the following powers and duties :

Board of Trustees.

1. To purchase or erect suitable buildings for the use of the public schools of said School District. 2. To elect and dismiss superintendents and teachers of the city schools, prescribe their duties, terms of office, and to fix their salaries, and to cause an examination of said teachers to be made whenever necessary ; also, to determine the class books and studies to be used in said schools and to make rules and regulations for the government of said schools. 3. To determine the manner in which the tax heretofore authorized (and the two mills Constitutional and poll tax provided by law) shall be expended in maintaining said public schools ; and, 4. To fill all vacancies occurring in said Board of Trustees by death, resignation, removal or otherwise during their term of office or service.

Powers of Trustees.

SEC. 5. That it shall be the duty of the Chairman and Secretary of said public meeting, within one week after said meeting has been held, to notify the Chairman of the Board of Trustees for said School District, and the Auditor of said County, of the amount of the tax thus levied and how it has been appropriated, and the County Auditor shall at once assess such tax on all real and personal property returned in said School District, and the County Treasurer shall collect the same with the State and County taxes, and such tax shall be a lien on all property until paid, and defaulting taxpayers shall be liable to like process and penalties as defaulters for State and County taxes.

Assessment, collection of school tax.

Lien.

SEC. 6. That the money collected from said tax levy and the Constitutional poll and two mill tax to which the said District is entitled under the general provisions of the law shall be held by the County Treasurer and paid out on warrants drawn by the Trustees of said School District, countersigned by the County School Commissioner ; and said Treasurer shall be liable to said School District for the non-performance of his duty in respect to said money in the same manner and to the same extent and under like penalties as for non-performance of his duties in

Disbursements of school taxes.

Liability of Treasurer.

A. D. 1885.

Authority to
erect build-
ings.

Present Trus-
tees to act.

When to tak
effect.
Repealing
clause.

reference to State and County taxes: *Provided*, That the School Commissioner of said County and the Trustees of said School District be, and they are hereby, authorized to apply for the fiscal year commencing November 1st, 1885, so much of said money as may be necessary for the purchase or erection of suitable buildings for said public schools.

SEC. 7. That the School Trustees now in charge of School District No. 17 of Greenville County are hereby authorized and required to act until the election of the Trustees provided for in this Act.

SEC. 8. That this Act shall take effect from the date of its passage, and all Acts or parts of Acts inconsistent with this Act are hereby repealed.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

No. 208. AN ACT TO MAKE THE PROVISIONS OF AN ACT ENTITLED "AN ACT TO AUTHORIZE THE TOWNSHIPS OF 'SPARTANBURG' AND 'CHEROKEE,' IN SPARTANBURG COUNTY, TO SUBSCRIBE TO THE CAPITAL STOCK OF THE SPARTANBURG AND RUTHERFORDTON RAILROAD COMPANY, AND TO DECLARE SAID TOWNSHIPS TO BE BODIES POLITIC AND CORPORATE FOR THE PURPOSES HEREIN MENTIONED, APPLICABLE IN EVERY RESPECT TO THE TOWNSHIP OF 'NEW PROSPECT,' IN THE COUNTY OF SPARTANBURG."

Right of subscribing granted to New Prospect Township.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act the Township of "New Prospect," in the County of Spartanburg, shall have all the powers, privileges, rights and authority, and fully enjoy all the

Rights of
New Prospect
Township.

provisions, of an Act entitled "An Act to authorize the Townships of 'Spartanburg' and 'Cherokee,' in Spartanburg County, to subscribe to the capital stock of the Spartanburg and Rutherfordton Railroad Company, and to declare said Townships to be bodies politic and corporate for the purposes herein mentioned."

A. D. 1885.

18 Stat. 306.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO INCORPORATE THE TOWN OF KNIGHTSVILLE, IN No. 209.
THE COUNTY OF COLLETON.

- SEC. 1.—Incorporation. Name and limits.
SEC. 2.—Intendant and Wardens. Elections.
SEC. 3.—Vacancies.
SEC. 4.—Town Council. Marshals. Streets, markets, &c.
SEC. 5.—Nuisances. Arrests. Commutation of sentence.
SEC. 6.—Streets and street duty. Compounding for work.
SEC. 7.—Shows. Proviso.
SEC. 8.—First election.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons, citizens of this State, who now are or hereafter may be inhabitants of the Town of Knightsville shall be deemed, and are hereby declared, a body politic and corporate, and said town shall be called and known by the name of Knightsville, and its limits shall be deemed and held to extend one mile in each direction from the public school house at said place.

SEC. 2. That said town shall be governed by an Intendant and four Wardens, who shall be elected on the first Monday in April next, 1886, and on the first Monday in April every year thereafter, who shall hold their office for one year and until their

- A. D. 1885.** successors shall have been elected and qualified ; an election shall be held for an Intendant and four Wardens, who shall be citizens of this State, and shall have been residents of the said town sixty days next preceding said election, at such place in said town as the Intendant and Wardens shall designate, ten days' notice thereof in writing being previously given ; and that
- Electors.** all the male inhabitants of said town of the age of twenty-one years who have resided therein sixty days previous to the election shall be entitled to vote for said Intendant and Wardens, including persons owning real estate and doing business in said town. An election shall be held from nine o'clock in the morning until five o'clock in the evening, when the polls shall be
- Hours.** closed and the Managers shall count the votes and proclaim the election and give notice thereof to the persons elected ; and that the Intendant and Wardens for the time being shall appoint Managers to hold the ensuing election. That the Intendant and Wardens before entering into the duties of their office shall
- Managers and their powers.** take the oath prescribed by the Constitution of the State.
- Oath.**
- Vacancies.** SEC. 3. That in case a vacancy shall occur in the office of Intendant or any of the Wardens by death, resignation or otherwise, an election shall be held by appointment of Intendant and Warden or Wardens, as the case may be, ten days' public notice thereof as aforesaid being given ; and in case of the sickness or temporary absence of the Intendant, the Wardens forming the Council shall be empowered to elect one of themselves to act as Intendant during such sickness or absence.
- Council meetings.** SEC. 4. That the Intendant shall, as often as occasion may require, summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of business, and shall be known as the Town Council of Knights-
- Powers of Council.** ville, and they and their successors in office shall have a common seal, and shall have power and authority to appoint from time to time such Marshals and Constables as they shall deem sufficient and proper, which officer or officers shall have all the powers, privileges and emoluments, and be subject to all the duties, penalties and regulations, by the laws of this State for the office of Constable ; and the Intendant and Wardens in Council shall have power and authority, under their corporate seal, to ordain and establish all such rules and ordinances respecting the streets, ways, bridges, public wells, markets and police
- Marshals.** of said town, and for preserving health, peace, order and good government within the same, as they may deem expedient and
- Streets, bridges, markets, police, &c.**

proper, and the said Council may affix fines for offenses against such rules and ordinances, and appropriate the same to the use of the corporation, but no fine shall exceed \$25; all fines may be collected by an action for debt before a proper tribunal.

A. D. 1885.

Fines.

SEC. 5. That the said Council shall have power to remove all nuisances within the limits of said town, and to erect and maintain a guard house, and to prescribe by ordinances suitable regulations for governing the same; that they shall have power to arrest and commit to the said guard house for a space of time not exceeding forty-eight hours, and a fine not exceeding twenty-five dollars, any person or persons who shall be guilty of disorderly conduct in said town. That whenever any person shall refuse, fail or be unable to pay any fine imposed, that said Council shall have power and authority to commute the sentence of such person or persons to that of labor on the public streets and roads of said town for a period not exceeding thirty days, according to the gravity of the offense.

Nuisances.

Arrest and
commitment.Commutation
of sentences.

SEC. 6. That it shall be the duty of the Intendant and Wardens to keep all streets and ways within the limits of said town open and in good order, and for that purpose they are hereby invested with all the powers and privileges granted by law to Commissioners of Roads within the limits of said town, and for neglect of duty they shall be liable to the same pains and penalties imposed by law upon Commissioners of Roads for like neglect. That the Intendant and Wardens shall have power to compound with persons liable to work on said streets upon the payment of such sum of money as they may deem a fair equivalent therefor.

Streets and
street duty.Compounding
for work.

SEC. 7. That the said Town Council shall have power to impose a tax on shows or exhibitions for gain or reward within the limits of said town: *Provided*, That nothing herein contained shall extend to sales by Sheriffs, Clerks of Court, executors, administrators, assignees, or any officer or other persons under the order of any Court,

Shows.

Proviso.

SEC. 8. That for the purpose of the first election of Intendant and Wardens provided for by this Act, the Clerk of the Circuit Court of Colleton County is hereby authorized and required to appoint and qualify three Managers of the said election, and to give ten days' notice in writing of the time of said election prior to April 1st, 1886, and the said Managers at the first election

First election.

A. D. 1885.

shall perform all the duties devolved by this Act upon the Intendant and Wardens as to subsequent elections.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

No. 210. AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND AN ACT ENTITLED AN ACT TO INCORPORATE THE TOWN OF BLACK'S, IN THE COUNTY OF YORK, ON THE AIR LINE RAILROAD," APPROVED DECEMBER 24, 1884.

Changing the town limits.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Amendment
to A. A. 1876,
§ 1, 16 Stat. 133,
as amended by
A. A. 1884, § 1,
18 Stat. 826.

Section 1 of an Act to amend an Act entitled "An Act to incorporate the Town of Black's, in the County of York, on the Air Line Railroad," approved December 24, 1884, be, and the same is hereby, amended by striking out all of said Section after the word "mile" in the eighth line thereof, and inserting in

Change of
limits.

lieu of the same the following: "in a Northern, Eastern and Southern direction from the depot of said town and one mile in a Western direction from said depot, and shall include a parallelogram formed upon the extremities of the lines so drawn." So that said Section as amended shall read as follows:

Section as
amended.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, all citizens of this State who have resided thirty days in the town of Blacks shall be deemed, and are hereby declared to be, a body politic and cor-

porate, and the said town shall be called and known by the name of Black's; and its corporate limits shall extend one-half mile in a Northern, Eastern and Southern direction from the depot of said town, and one mile in a Western direction from said depot, and shall include a parallelogram formed upon the extremities of the lines so drawn.

A. D. 1885.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO DECLARE A CERTAIN CREEK ON EDISTO ISLAND, No. 211.
IN BERKELEY COUNTY, A PRIVATE STREAM.

SEC. 1.—St. Pier's Creek declared a private stream, as to oyster rights.

SEC. 2.—Trespassing, a misdemeanor.

SEC. 3.—Provisoes.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That for the purpose of encouraging and fostering the business of planting, cultivating and growing of oysters in this State, all that portion of St. Pier Creek, Edisto Island, Berkeley County, above a point situated four hundred yards above Big Bank, Peter's Point plantation, shall be, and the same is hereby, declared to be a private creek, so far as the same relates to the growing and gathering of oysters.

St. Pier's
Creek a pri-
vate stream, as
to growing and
gathering oys-
ters.

SEC. 2. Any one trespassing on these grounds for the purpose of planting, removing or otherwise disturbing oysters shall be deemed guilty of a misdemeanor, and, upon conviction before a Trial Justice, shall, for each offense, be fined not more than twenty-five nor less than fifteen dollars, or be imprisoned in the County Jail for not more than thirty nor less than ten days.

Trespassing,
a misdemean-
or.

A. D. 1885.

Provisoes.

SEC. 3. Nothing contained in this Act shall be construed so as to prevent the digging of phosphates, the catching or fishing for any floating or swimming fish, or as allowing the obstruction of any navigable stream.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker, House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

No. 212. AN ACT TO EXEMPT CERTAIN PORTIONS OF WILLIAMSBURG AND CLARENDON COUNTIES FROM THE OPERATIONS OF CHAPTER XXVII OF THE GENERAL STATUTES OF THIS STATE, RELATING TO THE STOCK LAW.

Portions exempted while they maintain fences.

Portions exempted.

While they maintain fences.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all that portion of Thirteenth and Fourteenth Townships which have not been hitherto exempt, but are now fenced, lying between Scranton and Lynch's River, and all that portion of Sumter Township, in Williamsburg County, and Mott's, Douglass, Mouzon, Midway and Sandy Grove Townships, in Clarendon County, as are now fenced off in a common pasture, and all that portion of Ridge Township, in Williamsburg County, now fenced off in a common pasture, be, and the same are hereby, exempt from the operation of the provisions of Chapter XXVII of the General Statutes of this State, relating to the Stock Law, so long as the fences around said sections are kept in good and

OF SOUTH CAROLINA.

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substantial condition, sufficient to hinder the escape therefrom.

TO CHAR-

A. D. 1885.

No. 215.

In the Senate House, the twenty-fourth day of December, year of our Lord one thousand eight hundred and eighty-

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

Act Preambles.

Stat. 53.

AN ACT TO AMEND SECTION ONE THOUSAND SIX HUNDRED AND NINETY-FOUR (1694) OF THE GENERAL STATUTES, RELATING TO GAME BIRDS.

No. 213.

Times of protection and birds protected.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section one thousand six hundred and ninety-four (1694) of the General Statutes, relating to game birds, be, and the same is hereby, amended so that the said Section shall read as follows:

Gen. Stat.
1894, amend-
ed.

SECTION 1694. It shall not be lawful for any person in this State, between the first day of April and the first day of November, in any year hereafter, to catch, kill or injure, or to pursue with such intent, or to sell or expose for sale, any wild turkey, partridge, dove, woodcock or pheasant; and any person found guilty thereof shall be fined not less than ten (10) dollars, or be imprisoned not less than ten (10) days, which fine, if imposed, shall go one-half thereof to the informer and the other half thereof to the school fund of the County wherein the offense was committed.

Section as
amended.
Time of pro-
tection.

Birds protect-
ed.

Penalties.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

A. D. 1885.
Provisoos.

SEC. 3. ^{2e} of stock
as to pro
for any, in the
of at five.

A. D. 1885.

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AT LARGE

ING THE COMPENSATION OF
COUNTY COMMISSIONERS
OF THE CLERK OF SAID
COMMISSIONERS OF THE
AND GEORGETOWN.

Spartanburg.
Chester, Greenville,

House of Repre-

now met and sitting

majority of the same, That

An Act to fix the compensation

and of County Commissioners of Spar-

ane Clerk of said Board," approved Decem-

1882, be, and the same is hereby, amended so as

follows:

Compensation
of County Com-
missioners, of
Spartanburg.

SECTION 1. *Be it enacted* by the Senate and House of Repre-
sentatives of the State of South Carolina, now met and sitting
in General Assembly, and by the authority of the same, That
each member of the Board of County Commissioners of Spar-
tanburg County shall be allowed compensation for his services
at the rate of three dollars (\$3.00) per day and five cents per
mile for necessary travel: *Provided*, The Chairman of said
Board shall be allowed compensation for a time not exceeding
one hundred and fifty days, and each of the other two members
for a time not exceeding one hundred days.

Compensation
of County Com-
missioners
of Chester,
Greenville and
Georgetown.

SEC. 2. That the Chairman of the Board of County Commis-
sioners of Chester County, the Chairman of the Board of
County Commissioners of Greenville County, and the Chairman
of the Board of County Commissioners of Georgetown County,
and the other members of the said Boards be allowed compensa-
tion for a time not exceeding one hundred days each, at the rate
of two dollars per day, and the mileage now allowed by law.

In the Senate House, the twenty-fourth day of December, in
the year of our Lord one thousand eight hundred and eighty-
five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO CHARTER THE BISHOPVILLE RAILROAD COMPANY."

A. D. 1885.

No. 215.

SEC. 1.—Time for commencing and for completing road extended.

SEC. 2.—Additional corporators.

Whereas, by the eighth Section of an Act entitled "An Act to charter the Bishopville Railroad Company," the time limited for the commencement of the said railroad is two years after the approval of such Act, the same to be completed within five years after such approval, and the said Act was approved on the 21st day of December, 1882; *and whereas* the said railroad was commenced after two years after such approval, and two and one-half miles thereof completed without noticing said limitation,

Preambles.

18 Stat. 53.

SECTION 1. *Be it therefore enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the times limited in the Act hereby amended for the commencement and completion of said railroad be each extended for three years from the approval of said Act.

Time extended.

SEC. 2. That David D. Barber and Andrew M. Atkins be added to the corporators named in the first Section of said Act hereby amended.

Additional corporators.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.
No. 216.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO INCORPORATE THE AUGUSTA AND EDGEFIELD RAILROAD COMPANY."

- SEC. 1.—Name changed.
SEC. 2.—Vice President added.
SEC. 3.—Time for commencing extended.
SEC. 4.—Corporate subscriptions in bonds.
SEC. 5.—Taxes to pay interest on bonds.
SEC. 6.—Corporate subscriptions in money.
SEC. 7.—Election upon question of subscription.
SEC. 8.—Returns of the election.
SEC. 9.—Declaration of result. Subscription to be made.
SEC. 10.—Taxes to pay principal of bonds.
SEC. 11.—Incorporation of Counties and Townships.
SEC. 12.—Delegates to represent stock.
SEC. 13.—Public Act. Duration.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to incorporate the Edgefield and Augusta Railroad Company," approved December 23d, A. D. 1884, be, and the same is hereby, amended by striking out the last line in Section one (1) and substituting in lieu thereof the "Augusta, Edgefield and Newberry Railroad Company."

SECTION 2. That Section six (6) of said Act be, and the same is hereby, amended by inserting after the word "President" on the eleventh (11) line of said Section the words "and one for Vice President," and also inserting after the word "President" on same line of said Section the words "and Vice President." So that the said Section as amended shall read as follows :

SECTION 6. That so soon as the sum of fifty thousand dollars is subscribed, the corporators aforesaid, or a majority of them, shall by advertisement, once a week for four weeks in one or both the papers published at Edgefield Court House, call a meeting of the stockholders, to be held at some place on the proposed line of said railroad, one month after the date of said notice, for the purpose of organizing said company, and said stockholders shall then and thereafter have power to organize the said company by electing from among their number eleven (11) Directors, who shall immediately after their election choose one of their number for President and one for Vice President of said company; and the term of office of President and Vice President and Directors of said company shall be one year, and until their successors shall thereafter be elected; but no one shall be eligible to the office of Directors unless he owns not less than

five (5) shares in the capital stock of said company, or unless he be one of a firm owning as many times five shares as there are members in the firm.

A. D. 1885.

SEC. 3. That Section 10 of the said Act be, and the same is hereby, amended by striking out the word "two" on the second line of said Section and inserting in lieu thereof the word "four." So that the said Section as amended shall read as follows :

Section 10, amended, extending time for organization.

SECTION 10. That the said company shall be organized, and the construction of the said railroad commenced, within four years from the passage of this Act.

Section as amended.

SEC. 4. That Section 12 of said Act be, and the same is hereby, stricken out and the following substituted in lieu thereof :

Section 12 substituted.

SECTION 12. That for the purpose of aiding in raising the capital stock of the said Augusta, Edgefield and Newberry Railroad Company, in addition to private subscriptions, it shall and may be lawful for any County, Township, city or town in any County through which the said railroad runs, or which is interested in its construction, to subscribe to the capital stock of said company such sum or sums in bonds or money as a majority of their qualified voters may authorize the County Commissioners of such County, or the municipal authorities of such city or towns, to subscribe, anything contained in the charter of such municipal corporations to the contrary notwithstanding. If such subscription of any County, city or town be in bonds, the said subscriptions shall be made in seven per cent, bonds payable in twenty years after the date thereof, to be received by the said company at par, and to be of the denomination of one hundred dollars, five hundred dollars and one thousand dollars, interest to be paid annually.

Section 12, as substituted.

Corporate subscriptions.

Description of bonds.

SEC. 5. That the following Section to be added to said Act, to be known as

Additional Section 13.

SECTION 13. That for the payment of the interest on said bonds voted by any County, the County Commissioners shall issue their warrant, directed to the County Auditor, requiring him to levy and assess such per centum upon the taxable property in said County as may be necessary to pay said interest, which shall be known and styled in the tax books as said railroad tax; and he shall enter the same upon the tax duplicate, to be turned over to the Treasurer, which shall be his warrant for collecting the said tax, which shall be collected by the said

County tax to pay interest on bonds.

Collection and disbursement.

A. D. 1885.

Town taxes
to pay interest.Additional
Section 14.Corporate
subscriptions
of money.Additional
Section 15.

Elections.

Managers.

Ballots.

Treasurer of such County under the same regulations as are now provided by law for the collection of State and County taxes therein, and which shall be paid over by the said Treasurer of the County so voting such subscription to the holders of said bonds as the said interest shall become due. In case of the issuing of bonds by municipal corporations in payment for stock in said railroad subscribed by such corporations, the corporate authorities of such municipalities shall annually levy and collect in the manner same as ordinary corporation taxes are collected an amount sufficient to meet the interest on such bonds as the same becomes due.

SEC. 6. That the following Section be added to said Act, to be known as

SECTION 14. That if the subscriptions be made in money, then the Board of County Commissioners shall be authorized and required to subscribe to the capital stock of said company in behalf of said County or Township, and the municipal authorities of such cities and towns so subscribing in behalf of such cities and towns, such sum or sums of money as may have been voted at the election held for such purpose.

SEC. 7. That the following Section be added to said Act, to be known as

SECTION 15. That for the purpose of determining the amount of said subscriptions, it shall be the duty of the County Commissioners for each of the Counties interested in such subscriptions, and of the municipal authorities of such cities and towns, upon the written application of a majority of the owners of real estate of such Counties or Townships, or of such cities or towns, specifying the amount to be subscribed in such County, Township, city or town, respectively, where such written applications are made, to submit the question of "subscription" or "no subscription" to the voters of such County, Township, city or town, and they shall have power to order an election, specifying the time, place and purpose of the election. The County Commissioners or municipal authorities, as the case may be, shall appoint three Managers at each election precinct in such County, Township, city or town, who shall without compensation hold and conduct said election; at which election the ballots shall have written or printed thereon either the words "subscription" or "no subscription," the said County Commissioners by a resolution of the Board, and the said municipal authorities of such cities or towns, having first determined the amount proposed to

be subscribed according to the request of the petitions submitted to them, notice of which election shall be given by the Chairman of the Board of County Commissioners of any County, or by the municipal authorities of any town or city, in one or more of the newspapers published in such Counties, cities or towns for three weekly insertions next previous to such election.

A. D. 1885.

Publication
of notice.

SEC. 8. That the following Section be added to said Act, to be known as

Additional
Section 16.

SECTION 16. It shall be the duty of the Managers to make returns and meet at their respective Court Houses or Council Chambers, as the case may be, and count the votes and declare the result as in other elections, which result may be certified in writing by the Chairman of each Board of Managers to the Chairman of the Board of County Commissioners, or to the City or Town Council, as the case may be.

Returns.

SEC. 9. That the following Section be added to said Act, to be known as

Additional
Section 17.

SECTION 17. At the first meeting of the Board of County Commissioners, or of the City or Town Council, or at some special meeting held by said County Commissioners, or City or Town Council, next after such election, the said returns shall be aggregated separately, and if a majority of the votes cast in said County, Township, city or town, respectively, or either of them, shall have written or printed thereon "subscription," then the Chairman of the Board of County Commissioners and the corporate authorities of such city or town shall be authorized and required to subscribe to the capital stock of said company in behalf of said County or Township, city or town, the sum or sums which may have been determined on and named in the resolution of the said Board of County Commissioners or City or Town Council.

Declaration of
result.

Subscription
to be made.

SEC. 10. That the following Section be added to said Act, to be known as

Additional
Section 18.

SECTION 18. That for the payment of any money subscriptions voted under this Act, the County Commissioners of the respective Counties shall levy a tax upon the taxable property of such Counties or Townships sufficient to pay such subscriptions as it may become due; which tax shall be levied and assessed by the County Commissioners and County Auditor and collected by the County Treasurer in the same manner in which other State and County tax is collected: *Provided, however,* That the said tax may be levied and assessed at a special meeting of the

County and
Township tax
to pay principal.

A. D. 1885.

Town tax to
pay principal.Disburse-
ment.Additional
Section 19.Incorporation
of Counties
and Town-
ships.Agents of
Counties and
Townships.Additional
Section 20.Delegates to
represent
stock.Additional
Section 21.Public Act.
Duration.

County Commissioners if the time of the annual meeting has passed. The corporate authorities of any city or town so subscribing shall, in like manner, levy and assess a tax upon the taxable property of said city or town sufficient to pay such subscriptions as it becomes due, to be collected, as other municipal taxes are collected, at the first annual collection of taxes next after such subscription, and annually thereafter till all the installments are paid. Any moneys collected on account of any subscription in money, under this Act, shall, as soon after collection as practicable, be turned over by the County Treasurer, or City or Town Treasurer, as aforesaid, to the Treasurer of the said company or their legally authorized agent, if any.

SEC. 11. That the following Section be added to said Act, to be known as

SECTION 19. That for the purposes of this Act, all the Counties and Townships in said Counties along the line of the railroad, or which are interested in its construction as herein provided for, shall be, and they are hereby declared to be, bodies politic and corporate, and are vested with the necessary powers to carry out the provisions of this Act, and shall have all the rights and be subject to all the liabilities in respect to any rights or causes of action growing out of the provisions of this Act.

The County Commissioners of the respective Counties are declared to be the corporate agents of the Counties or Townships so incorporated and situate within the limits of said Counties.

SEC. 12. That the following Section be added to said Act, to be known as

SECTION 20. In all conventions of the stockholders of said company, such cities, towns, Counties or Townships as may subscribe to the capital stock shall be represented by no less than three nor more than five delegates, to be appointed by the corporate authorities of such cities or towns, or the County Commissioners of the respective Counties, or Townships in such Counties, for that purpose.

SEC. 13. That the following Section be added to said Act, to be known as

SECTION 21. That this Act shall be deemed and held a public Act, and shall vest and continue in said company and their suc-

cessors for and during the term of thirty years, to be computed from the time of the approval of this Act.

A. D. 1885.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AUTHORIZE AND EMPOWER THE TOWN COUNCIL OF NEWBERRY TO ISSUE BONDS TO DAVID HENRY WHEELER IN PAYMENT OF HIS DEBT AGAINST SAID TOWN, AND TO PROVIDE FOR THE INTEREST ACCRUING THEREON, AND FOR THE PAYMENT OF SAID BONDS. No. 217.

Sec. 1.—Description of bonds. Coupons receivable for taxes.

Sec. 2.—Special tax. Not to be diverted.

Sec. 3.—Cancellation of coupons and bonds.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Town Council of Newberry shall have power, and are hereby authorized, to issue bonds of said town to the amount of (\$24,000) twenty-four thousand dollars, in denomination of (\$100) one hundred dollars each, and numbered from (1) one to (240) two hundred and forty consecutively, and to be delivered by said Town Council to David Henry Wheeler in payment of his debt against the said Town of Newberry; said bonds to be made payable twenty years after the (1st) first day of January, (1886) eighteen hundred and eighty-six, with interest thereon, payable annually, at the rate of (5) five per centum per annum, and the coupons for said interest, when due, to be receivable in payment of any and all taxies levied by and due said town, except the special tax of one mill authorized to be levied by an Act entitled "An Act to authorize the Town of Newberry to create a fire department for said town, and to provide the means necessary for that purpose," approved December 22d, A. D. 1883: *Provided, however,* That in each of said bonds it shall be stipulated that the Town Council of Newberry shall have power to call in for payment any or all of said bonds at any time before

Bonds to be issued.

Description.

Coupons receivable for taxes.

18 Stat. 398.

Calling in bonds.

A. D. 1885.

maturity; and when any one or more of said bonds are so called in for payment no interest shall thereafter be paid thereon, except the coupon maturing on the first day of January next ensuing upon said call, and in the call for payment the said Town Council shall begin at the lowest number outstanding at the time of the call.

Special tax to
pay interest
and principal.

SEC. 2. That the Town Council be, and they are hereby, directed to levy a special tax of one mill, if so much be necessary, on the dollar of all the taxable property within the corporate limits of said Town of Newberry every year for the (20) twenty years next succeeding the (1st) first day of January, (1886) eighteen hundred and eighty-six, to provide the means wherewith to pay and discharge the interest, and thereafter the principal, of said bonds: *Provided*, That the proceeds of said

Not to be
diverted.

special tax shall never be used for any other purpose by the said Town of Newberry than to pay the interest, and thereafter the principal, of said bonds until the same shall be fully paid: *And provided, further*, That the special tax herein provided for shall

Time for col-
lecting.

be collected at the same time the general taxes of the said Town of Newberry are collected: *And provided, further*, That the

Annual state-
ment.

said Town Council shall include in their annual statement, and shall publish therewith, a separate statement of the amount realized by the special tax herein provided for and of its application.

Cancellation
of coupons and
bonds.

SEC. 3. That upon the payment of any of the bonds or coupons provided for by this Act, the same shall be cancelled by writing across the face thereof, in red ink, the word "paid," together with the date of such payment, which cancellation shall be signed by the Mayor of the Town of Newberry in his official capacity, and attested by the seal of the town, and thereupon the bonds and coupons so paid and cancelled shall be filed away with the records of the town, and a minute thereof entered upon the record of the proceedings of Council.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

AN ACT TO INCORPORATE THE TOWN OF FORESTON, IN THE
COUNTY OF CLARENDON.

A. D. 1886.

No. 218.

- SEC. 1.—Incorporation. Name and limits. Powers.
SEC. 2.—Intendant and Wardens. Elections.
SEC. 3.—Vacancies.
SEC. 4.—Police. Meetings. Powers.
SEC. 5.—Taxes.
SEC. 6.—Repealing clause.
SEC. 7.—Public Act. Duration.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, all citizens of this State who have resided twelve months within the State and sixty days in the Town of Foreston shall be deemed, and are hereby declared to be, a body politic and corporate, and shall hereafter be called and be known by the name of Foreston, and the corporate limits of the Town of Foreston shall be, and are hereby declared to be, one-half mile in each direction from the Baptist Church. The said town shall have a common seal; may sue and be sued, implead and be impleaded, in any Court in this State, and may purchase, hold, possess and enjoy, in perpetuity or for any term of years, any estate, real, personal or mixed.

Incorporation.

Name and limits.

Powers.

SEC. 2. That said town shall be governed by an Intendant and four Wardens, who shall be citizens of the United States and shall have been voters in the said town for sixty days immediately preceding their election, and who shall be elected by the qualified voters of the said town on the first Wednesday in March, 1886, and every year thereafter on the first Wednesday in March, ten days' public notice thereof being previously given; and that all qualified electors, who are citizens of this State, and who shall have resided in said town for sixty days immediately preceding the election, shall be entitled to vote for said Intendant and Wardens. For the purpose of holding the first election under this Act, the Clerk of the Court of Common Pleas of Clarendon County shall designate three suitable persons in said town to act as Managers of Election, and that thereafter the Intendant and Wardens, for the time being, shall annually appoint Managers to conduct each ensuing election. That the polls for said election shall be opened at 10 o'clock in the forenoon and closed at 4 o'clock in the afternoon, and the Managers of Election shall immediately thereafter count the ballots and declare the election.

Intendant and Wardens.

Election.

Electors.

Managers.

Hours.

Determining the result.

A. D. 1885.

Vacancies.

SEC. 3. That in case a vacancy should occur in the office of Intendant or any of the Wardens by death, resignation or removal from the State or town, or from any other cause, an election shall be held by the appointment of the Intendant and Warden, or Wardens, as the case may be, ten days' notice as aforesaid being given; and in case of sickness or temporary absence of the Intendant, the Wardens forming a Council shall be empowered to elect one of their number to act as Intendant during such sickness or absence.

Marshals and police.

SEC. 4. That the Town Council of Foreston be, and they are hereby, authorized to appoint a Marshal or police force for the better security and regulation of the said town, and to pass such ordinances as they may deem expedient to define the duties, fix the compensation and impose fines and penalties for neglect of duties of said Marshal or police force, and generally to perform all acts necessary to effectuate the intention of this Act, and make and establish all rules and orders relative to said Marshal or police force not inconsistent with the laws of this State.

Powers of Trial Justice.

That the Intendant, duly elected and qualified, shall, during his term of office, be vested with all the powers of Trial Justices in this State in all matters touching the violation of any ordinance or ordinances of the said town; and that the Intendant shall, as often as

Council meetings.

occasion may require, summon the Wardens to meet in Council, a majority of whom shall constitute a quorum for the transaction of business, and shall be known by the name of the Town Council of Foreston, and they and their successors in office shall have power to appoint, from time to time, such persons to act as Marshals or Constables as they shall deem expedient, which officers shall have all the powers and privileges, and be subject to all the penalties and regulations, provided by law for Constables in this State; and the Intendant and Wardens in Council shall have power and authority, under their corporate seal, to ordain and establish all such rules and by-laws and ordinances respecting streets, ways, public wells and springs, markets and police of said Town of Foreston, and for preserving peace, health and order and good government within the same, as they may deem expedient and proper, not inconsistent with or repugnant to the laws of the State, and such by-laws and ordinances shall at all times be subject to revisal or repeal by the General Assembly of this State; and the said Council may affix fines for offenses against such by-laws and ordinances, and appropriate the same to the use of said corporation, but no fines shall exceed

Powers of Council.

Fines.

thirty dollars, and the same to be collected as fines and penalties in Trial Justices' Courts. A. D. 1885.

SEC. 5. That the said Council shall have the power to impose an annual tax on all the real and personal property within the corporate limits of said town: *Provided*, Said tax does not exceed fifty cents on the one hundred dollars. Taxes.
Limit.

SEC. 6. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed. Repealing clause.

SEC. 7. That this Act shall be deemed a public Act in all Courts of justice, and shall continue of force until repealed. Public Act.
Duration.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO RENEW AND AMEND THE CHARTER OF THE No. 219. TOWN OF CENTRAL, IN THE COUNTY OF PICKENS.

- SEC. 1.—Incorporation. Name and limits.
- SEC. 2.—Intendant and Wardens. Elections. Registration.
- SEC. 3.—Vacancies.
- SEC. 4.—Council meetings. Powers.
- SEC. 5.—Sentences. Work on streets.
- SEC. 6.—Nuisances. Public duty.
- SEC. 7.—Streets. Penalties. Exemptions.
- SEC. 8.—Compounding for street duty.
- SEC. 9.—Property rights.
- SEC. 10.—Taxes. Licenses.
- SEC. 11.—Sales at auction.
- SEC. 12.—Sidewalks.
- SEC. 13.—Sale of liquor prohibited.
- SEC. 14.—Term of present Council.
- SEC. 15.—Public Act. Duration. Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons, citizens of the United States, who now are or hereafter may be inhabitants of the Town of Central, shall be Incorporation.

<p>A.D. 1885.</p> <p>Name and limits.</p>	<p>deemed, and are hereby declared, a body politic and corporate, and the said town shall be called and known by the name of Central, and its limits shall be deemed and held to extend and include all the area embraced in a circle whose centre is the depot of the Atlanta and Charlotte Division of the Richmond and Danville Railroad Company, and whose radius is one-half mile.</p>
<p>Intendant and Wardens.</p>	<p>SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be elected on the first Monday in April of the year 1886, and at the same time in every year thereafter, and shall hold their office for the term of one year and until their successors shall have been elected and qualified; said Intendant and Wardens shall be citizens of the United States and shall be persons that actually reside in the corporate limits of the said town, and have so resided for at least twelve months immediately preceding the day of their election; said election shall be held in said town at some convenient place designated by the Intendant and Wardens, ten days' notice thereof in writing being previously given; and all male inhabitants of said town of the age of twenty-one years, citizens of this State, who have resided in said town sixty days previous to the election, shall be entitled to vote for said Intendant and Wardens: <i>Provided, however,</i> That no person shall be allowed to vote at any election held for officers of said town who shall not have first registered in a book to be kept for that purpose, under the control and direction of the said Town Council, and who shall not also produce a certificate of registration from the register of voters for Pickens County showing that he is entitled to vote at that place; and the election shall be held from nine in the morning until five o'clock in the evening, when the polls shall be closed and the Managers shall count the votes and proclaim the election, and give notice thereof to the persons elected; and that the Intendant and Wardens for the time being shall appoint Managers to hold the ensuing election; that the Intendant and Wardens, before entering upon the duties of their offices, shall take the oath prescribed by the Constitution of the State and the following oath, to wit: As Intendant (or Warden) of Central, I will equally and impartially, to the best of my ability, exercise the trust reposed in me, and will use my best endeavors to preserve the peace and carry into effect according to law the purposes of my appointment: So help me God.</p>
<p>Election.</p>	
<p>Electors.</p>	
<p>Registration.</p>	
<p>Hours.</p>	
<p>Determining the result.</p>	
<p>Managers.</p>	
<p>Oaths.</p>	
<p>Vacancies.</p>	<p>SEC. 3. That in case a vacancy shall occur in the office of the Intendant or any of the Wardens, by death, resignation, removal</p>

from the State, or from any other cause, an election shall be held, by appointment of the Intendant and Wardens, or Wardens, as the case may be, ten days' public notice thereof as aforesaid being given; and in case of the sickness or temporary absence of the Intendant, the Wardens forming a Council shall be empowered to elect one of themselves to act as Intendant during such sickness or absence.

A.D. 1885.

SEC. 4. That the Intendant and Wardens duly elected and qualified shall, during their term of service, severally and respectively, be vested with all the powers of Trial Justices in this State, in matters criminal, within the limits of said town, so far as relates to the ordinances of said town; that the Intendant shall, as often as occasion may require, summon the Wardens to meet him in Council, a majority of whom shall constitute a quorum for the transaction of business, and shall be known as the Town Council of Central; and they and their successors in office shall have a common seal, and shall have power and authority to appoint, from time to time, such and so many proper persons to act as Marshals and Constables as they shall deem expedient and proper, which officers shall have all the powers and privileges and be subject to all the duties, penalties and regulations, prescribed by the laws of this State for the office of Constable; and the Intendant and Wardens in Council shall have power and authority, under their corporate seal, to ordain and establish all such rules and by-laws and ordinances respecting streets, ways, public wells, springs of water, markets and police of said town, and for preserving health, peace, order and good government within the same, as they may deem expedient and proper; and the said Council may affix fines for offenses against such by-laws and ordinances and appropriate the same to the use of the corporation, but no fine shall exceed one hundred dollars or thirty days' imprisonment; all fines may be collected by an action for debt before a proper tribunal.

Powers of
Trial Justice.Council meet-
ings.Powers of
Council.

Marshals.

Ordinances.

Fines.

Imprisonment.

Sentences.

SEC. 5. The said Intendant may sentence persons convicted of violation of any of the ordinances of said town to fine, or imprisonment not exceeding thirty days, in the alternative, as may be provided; and any person sentenced to imprisonment directly or in consequence of failure to pay the fine imposed shall, during their term of imprisonment, be required to work upon the streets of said town at the rate of one day for each dollar of fine so imposed, unless they be expressly exempted therefrom in the sentence pronounced by the said Intendant.

Work by
prisoners on
streets.

- A. D. 1885.**
Nuisances.
Public duty. SEC. 6. That the said Council shall have power to abate or remove nuisances within the limits of said town, and also to classify and arrange the inhabitants liable to public duty, and require them to perform such duty as occasion may require, and enforce the performance of the same under the same penalties as are now or hereafter may be established by law: *Provided always, nevertheless,* That the said Town Council shall have power to compound with the person or persons liable to perform such duty under such terms as they shall by ordinance establish.
- Compounding for public duty.** SEC. 7. That it shall be the duty of the Intendant and Wardens to keep all the streets and ways in the limits of said town open and in good order, and for that purpose they are hereby invested with all the powers and privileges granted by law to the County Commissioners, within the limits of said town; and for neglect of duty they shall be liable to the same pains and penalties imposed by law upon County Commissioners for like neglect; and they are hereby individually exempt from the performance of road and public duty, and the inhabitants of said town are hereby exempt from road duty without the limits of said corporation.
- Streets to be kept up.** SEC. 8. That the said Intendant and Wardens shall have power to compound with persons liable to work on the said streets and ways, and to release such persons as may desire it upon the payment of such sum of money as they may deem a fair equivalent therefor, to be applied by them to the use of the corporation.
- Penalties.** SEC. 9. That the said Town Council of Central shall also be empowered to retain, possess and enjoy all such property as they may be possessed of or entitled to, or which shall hereafter be given, bequeathed to, or in any manner acquired by them, and to sell, alien, or in any way transfer the same or any part thereof: *Provided,* The amount of property so held or stock invested shall in no case exceed the sum of twenty thousand dollars.
- Exemptions.** SEC. 10. That the said Town Council shall have power to impose an annual tax upon all real and personal property within the limits of said town: *Provided,* Said tax does not exceed the sum of twenty cents on the one hundred dollars. The personal property shall be returned on the oath of the owner or agent thereof, and the real estate shall be assessed by a Board of Assessors consisting of three freeholders, to be appointed annually by the said Intendant and Wardens, who shall upon
- Compounding for street work.**
- Property rights.**
- Limit.**
- Annual tax.**
- Limit.**
- Returns.**

oath assess the value of the real estate in the limits of said town and return the assessments within thirty days from the date of their appointment to the said Council for taxation. The said Town Council shall have power to enforce the payment of all taxes levied under the authority of this Act against the property of defaulters to the same extent and in the same manner as is provided by law for the collection of State and County taxes, except that the executions to enforce the payment of the town taxes shall be under the seal of the said corporation and directed to the Town Marshal, or other person especially appointed by said Council to collect the same; and all property upon which a tax shall be levied and assessed shall be liable for the payment thereof in preference to all other debts due by the person, except those due to the State; and the said Council shall have the power to grant or refuse license to all billiard and pool tables, ten-pin alleys or other pin alleys, shows, circuses and exhibitions of any kind and description whatsoever.

A. D. 1885.

Assessment.

Enforcing payment.

Executions.

Lien.

Licenses.

SEC. 11. That the Intendant and Wardens of the Town of Central shall have power to regulate sales at auction within the limits of said town, and grant licenses to auctioneers: *Provided*, That nothing herein contained shall extend to sales by or for Sheriffs, Clerks of Court, Masters, Judges of Probate, Coroner, executors, administrators, assignees, or by any other person under the order of any Court or Magistrate.

Sales at auction.

Proviso.

SEC. 12. That the Intendant and Wardens shall have power and authority to require all persons owning a lot or lots in said Town of Central to keep in repair the sidewalks adjacent to their lots respectively, and for default in this matter shall have power and authority to impose a fine not exceeding fifteen dollars.

Sidewalks.

SEC. 13. That the sale or vending of any spirituous, malt or intoxicating liquors in any quantities within the corporate limits of the said town is hereby prohibited, and the said Town Council shall have no power or authority to grant a license for that purpose. And any person or persons violating any of the provisions of this Section shall, upon conviction thereof, be fined in a sum of not less than two hundred dollars or imprisoned for a term of not less than six months, or both fined and imprisoned, in the discretion of the Court trying the case: *Provided*, That this Section shall not apply to any druggist doing business in said town, but they shall be governed by the general law on this subject.

Sale of liquor prohibited.

Penalties.

Exception as to druggists.

A. D. 1885.
 Term of pres-
 ent Council.
 Public Act.
 Duration.
 Repealing
 clause.

SEC. 14. That the present Intendant and Wardens shall hold their office until their successors shall be elected and qualify.

SEC. 15. That this Act shall be deemed a public Act in all the Courts of justice, and shall continue in force until repealed; and all Acts or parts of Acts inconsistent with this Act are hereby repealed.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

No. 220. AN ACT TO INCORPORATE THE COMMERCIAL SAVINGS INSTITUTION, OF CHARLESTON.

SEC. 1.—Incorporation. Name. Capital stock.

SEC. 2.—Powers.

SEC. 3.—Property rights.

SEC. 4.—Investments. Real estate. Interest.

SEC. 5.—Division and dissolution.

SEC. 6.—Liability of stockholders.

SEC. 7.—Fraudulent misrepresentations.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Incorporation. F. L. McHugh, Daniel O'Niell, P. H. Kennedy, John Burns, William Flynn, James McAllister and D. J. Touhey, together with such persons who are or may hereafter be associated with them, be, and they are hereby, declared a body politic and corporate, for the purposes of buying and selling real estate, bonds, stocks and other securities, and of making loans of money secured by mortgages of real estate and pledges of personal security, by the name and style of the Commercial Savings Institution, the capital stock of said Institution to consist of one thousand shares; but as soon as three hundred shares are subscribed the corporation shall organize and commence operations; said shares to be paid by successive monthly installments

Purposes.

Name and capital stock.

How paid.

of one dollar on each share as long as the corporation shall continue; the shares to be held, transferred, assigned and pledged, and the holders thereof to be subject to such fines and forfeitures for default in their payments, according to such regulations as may be prescribed by the by-laws of said corporation.

A. D. 1885.

Shares.

SEC. 2. The said corporation shall have power and authority to make any such rules and by-laws for its government as are not repugnant to the Constitution and laws of the land; shall have such members and succession of officers as shall be ordained and chosen according to their said rules and by-laws made or to be made by them; shall have and keep a common seal, and may alter the same at will; may sue and be sued, plead and be impleaded, in any Court of competent jurisdiction in this State; and shall have and enjoy all and every right and privilege incident and belonging to corporate bodies, according to the laws of the land.

By-laws.

Succession.

Powers.

SEC. 3. That the said corporation shall have the power to take, purchase and hold real estate, and to sell and transfer the same, on such terms and on such conditions, and subject to such regulations, as may be prescribed by the rules and by-laws of such corporation: *Provided*, That the real estate held by the said corporation shall not at any time exceed the value of two hundred thousand dollars (\$200,000).

Property rights.

Limit.

SEC. 4. The funds of the said corporation shall be invested in real estate, bonds, stocks and such other property as the said corporation may direct, and shall be loaned upon such terms and conditions as the corporation may prescribe by its rules and by-laws; and it shall be lawful for said corporation to hold such real estate, bonds, stocks and other property so bought, mortgaged or pledged to them, and may sell, alien or otherwise dispose of the same, as from time to time it may deem expedient: *Provided*, That no interest shall be charged upon loans by the said corporation to its members or others in excess of the rate of interest fixed by the laws of this State.

Investment of funds.

Real estate.

Interest on loans.

SEC. 5. That the corporation shall continue for the space of five years from its organization, at the end of which time its entire property shall be sold and the proceeds divided *pro rata* among its then stockholders.

Division and dissolution.

SEC. 6. Each stockholder in the said corporation shall be jointly and severally liable to the creditors thereof in an amount, besides the value of his or her shares therein, not exceeding five per cent. of the par value of the share or shares held by him at

Liability of stockholders.

A. D. 1885.

Provisoos.

Trustees.

Fraudulent
misrepresentation
a misdemeanor.

the time the demand of the creditor was made : *Provided*, That such demand shall have been payable in one year : *Provided*, also, That the proceedings to hold such stockholder liable therefor shall be commenced within two years after such debt may have become due, and whilst he remains a stockholder therein, or within two years after he shall have ceased to be a stockholder : *Provided, further*, That no person holding a share or shares as executor, administrator, trustee, or in any other fiduciary capacity, shall be liable therefor beyond the value of the estate held by him as such executor, administrator, trustee, or in any other fiduciary capacity.

SEC. 7. That any fraudulent misrepresentation of the capital, resources or property of said corporation by any officer or member thereof shall be deemed a misdemeanor, punishable by fine and imprisonment, or either, at the discretion of the Court.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

No. 221. AN ACT TO AMEND SECTION THREE HUNDRED AND SIXTY-FIVE OF THE GENERAL STATUTES.

Relating to the Fourth Brigade corporation and Marion Square.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 365 of the General Statutes be amended so as to read as follows :

Gen. Stat. 365
amended.Section as
amended.Of whom to
consist.

SECTION 365. That the corporation heretofore known as the Board of Field Officers of the Fourth Brigade, South Carolina Militia, and subsequently as the Board of Field Officers of the Fourth Brigade, South Carolina Volunteer Troops, shall hereafter consist of the Brigadier General commanding the Fourth Brigade, South Carolina Volunteer Troops, and the Field Officers of the Regiments and Battalions now constituting the said Fourth Brigade, and the Field Officers of such Regiments and Battalions

existing within the limits of the City of Charleston as may hereafter belong to the said Fourth Brigade under the laws of this State, and their successors in office. That the said corporation, so composed, shall continue to be, and shall be, a body politic and corporate for the purpose of holding all property, both real and personal, now owned or hereafter to be acquired by the said Board for the benefit of the said Brigade as now constituted, or as the same may be composed of Regiments and Battalions existing within the limits of the City of Charleston. That the said corporation, so composed, shall continue to have power to take, purchase and hold property, both real and personal, for the benefit of the said Brigade as now constituted, or of such parts of the said Brigade as shall consist of Regiments and Battalions existing within the limits of the City of Charleston, and the same to pledge, sell and transfer, from time to time, on such terms and under such conditions and subject to such regulations as may be prescribed by the said corporation: *Provided, however,* That the property now held by them and known as Marion Square, otherwise called Citadel Green, shall forever be kept by them as a place for the military exercises of said Brigade: *And provided, further,* That the Corps of Cadets of the State Military Academy shall have the right to use the said Marion Square, otherwise called Citadel Green, as a place for military exercises and recreation under such regulations as may be prescribed by the Board of Visitors thereof. And that the present members of the said Board of Field Officers of the said Fourth Brigade are hereby recognized and confirmed as successors of the original corporators, and invested with all the rights, powers and privileges of said original corporators, and that all acts done by them or by any person heretofore acting as successors of said original corporators in the corporate capacity of Field Officers of the said Fourth Brigade be, and the same are hereby, confirmed.

A. D. 1885.

Incorporation.

Powers.

Marion
Square to be
retained.Subject to use
of Citadel
Cadets.Present mem-
bers recogniz-
ed and their
acts confirmed.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.

JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.

AN ACT TO INCORPORATE THE TOZER MANUFACTURING COMPANY.

No. 222.

SEC. 1.—Incorporation. Name and purposes. Works.

SEC. 2.—Real estate. Other powers.

SEC. 3.—Capital stock. Organization.

SEC. 4.—Provisions affecting shares of stock.

SEC. 5.—Meetings. President and Directors. Location.

SEC. 6.—Sale of stock in default.

SEC. 7.—Liability of stockholders.

SEC. 8.—Public Act. Duration.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That

Incorporation. Maj. J. W. Wilkes, Frank L. Whitlock, F. M. Boozer, Charles H. Tozer, John R. Minter, and such other person or persons as now or may hereafter be associated with them, their successors and assigns, be, and they are hereby, made and created a body politic and corporate in law, under the name and style of the Tozer Manufacturing Company, for the purpose of manufacturing locomotives, stationary and portable steam engines, railroad cars, car wheels and axles, and all articles required in the construction, equipment or operation of railroads; also, iron, brass and steel casting of every description, together with machinery of all kinds and for whatever purpose required, and buying and selling and dealing in the same, and for the transaction of all such business as may be connected therewith; and may erect

Name and purposes. such machine shops, furnaces, foundries, buildings and other works as may be required or necessary to carry on such branches of manufacture and business, and may make and procure such machinery, tools and implements as may be required or necessary for the same.

Real estate. SEC. 2. That the said corporation may purchase and hold such real estate as they may think necessary for their purposes, and such as they may deem it to their interest to take in the settlement of any debts due them, and may dispose of the same; and

Other powers. may sue and be sued in all Courts of Law and Equity, have and use a common seal, and make such by-laws and regulations for their government as they may deem proper and necessary, not inconsistent with the Constitution and laws of the United States and of this State, and shall have generally all the rights, powers and privileges in law incident or appertaining to corporations.

Capital stock. SEC. 3. That the capital stock of said corporation shall be twenty thousand dollars, divided into shares of one hundred dollars each, with the right to increase the same, by a majority

vote of the Directors of said company, to any sum not exceeding fifty thousand dollars; that the said corporation may commence business at any time after a capital stock of five thousand dollars shall have been subscribed.

A. D. 1885.

Organization.

SEC. 4. That the capital stock shall be deemed personal property, to be assignable and negotiable under such rules as the said corporation may prescribe, and no part of the capital stock shall, at any time or upon any pretense whatever, be loaned or divided amongst the stockholders, neither shall the capital be withdrawn or divided amongst the stockholders until all the liabilities of the company are lawfully paid, and no dividends shall be declared except from the net earnings of the company. Each stockholder shall have one vote for each share of stock he or she may own or represent at the election of President and Directors, and all meetings of the company.

Capital stock
to be personal
property.Not to be
loaned or
divided.Vote of stock-
holders.

SEC. 5. That there shall be an annual meeting of the stockholders at such time and place as may be designated, for the purpose of choosing a Board of Directors, consisting of such number as the by-laws may prescribe, each of whom shall be a stockholder, and to elect a President and other officers of the said corporation to manage their affairs, which officers may be members of the Board of Directors. The said corporation shall keep an office at their factory, or at such other place as may be selected by the President and Directors, which, for all judicial proceedings and purposes, shall be deemed their location; and all meetings of the stockholders may be held at such time and place as shall by the by-laws be agreed on.

Meetings.

Board of
Directors.President and
other officers.

Location.

SEC. 6. That if the proprietor of any share of stock shall neglect to pay the installments assessed thereon for the space of sixty days after the time appointed for the payment thereof, the Treasurer of the corporation may, by order of the President and a majority of the Directors, sell at public auction such share or shares as may be necessary to pay such assessment and expenses of such sale: *Provided*, That such sale be advertised three weeks successively in some paper published in the City of Columbia, and a bill of sale by the President of said corporation shall transfer such shares to the purchaser and entitle him to a certificate thereof: *Provided, further*, That nothing herein shall prevent the collection of the installments by action at law.

Sale of stock
in default.Provisions as
to sale.

Proviso.

SEC. 7. That each stockholder in the said corporation shall be jointly and severally liable to the creditors thereof in an amount, beside the value of his share or shares therein, not exceeding five per cent. of the par value of the share or shares

Liability of
stockholders.

A. D. 1885.
 Provisoes.

Trustees.

held by him at the time the demand of the creditor was created : *Provided*, That such demand shall have been payable within one year : *Provided, also*, That proceedings to hold such stockholder liable therefor shall be commenced whilst he remains a stockholder therein, or within two years after he shall have ceased to be such stockholder : *Provided, further*, That persons holding stock in such company as executors, administrators, or by way of collateral security, shall not be personally subject to the liabilities of the stockholders under the foregoing provisions, but the person pledging such stock shall be liable as a stockholder, and the estate and funds in the hands of such executors or administrators shall be liable in their hands, in like manner and to the same extent as the deceased testator or intestate, or the ward or person interested in such trust fund, would have been if they had respectively been living and competent to act and hold the stock in their own names.

Public Act.
 Duration.

SEC. 8. That this Act shall be deemed and taken as a public Act, and shall continue in force for the term of twenty-one years, and until the next meeting of the General Assembly thereafter.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
 President of the Senate.
 JAMES SIMONS,
 Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
 Governor.

AN ACT TO EQUALIZE THE PUNISHMENT OF ALL PERSONS CONVICTED IN THE COURT OF GENERAL SESSIONS OF THE SALE OF SPIRITUOUS OR INTOXICATING LIQUORS, WHETHER UNDER THE GENERAL LAW OR SPECIAL LAWS APPLICABLE TO TOWNS.

A. D. 1885.
No. 223.

SEC. 1.—Punishment prescribed.
SEC. 2.—Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the approval of this Act all persons convicted in the Court of General Sessions of the sale of spirituous or intoxicating liquors, wines, fruits prepared with spirituous liquors, bitters, or beverages of which spirituous liquors form an ingredient, whether under the general law or special laws applicable to certain towns, shall be punished by the presiding Judge by imprisonment not exceeding six months or by fine not exceeding two hundred dollars, or both, at the discretion of such Judge.

Punishment prescribed.

SEC. 2. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Repealing clause.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND SECTION 2557 OF THE GENERAL STATUTES OF THIS STATE, IN RELATION TO THE TAKING OR REMOVAL OF RECORDS FROM COUNTY OFFICES.

No. 224.

Removal permitted under certain circumstances.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 2557 of the General Statutes of this State be amended by adding thereto the following proviso: "*Provided, also, That*

Removal of records permitted under certain circumstances.

A. D. 1885.

the provisions of this Section shall not apply to the taking or removal of any books or records where the same is done under any order of a Circuit Judge, for the better preservation or protection of the same."

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

No. 225. AN ACT TO PERMIT PERSONS IN THE STATE LIABLE TO ROAD DUTY TO PAY A COMMUTATION IN LIEU OF WORKING THE ROAD.

SEC. 1.—Commutation. Amount. Certificates.

SEC. 2.—Names to be furnished officers.

SEC. 3.—Moneys, how kept and applied. Exception.

SEC. 4.—Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That all persons liable to perform road duty in this State and residing outside of incorporated towns and cities be, and they are hereby, authorized to pay to the County Treasurer of the County in which they reside a commutation of two dollars in lieu of the time which said persons might annually be required to labor upon the public roads, which in no case shall be less than six nor more than twelve days in any one year, as the County Commissioners of the several Counties may direct. And whenever any of such persons liable to road duty shall pay the commutation tax herein provided for, it shall be the duty of the County Treasurer to furnish such person with a certificate showing that the commutation tax has been paid, which shall relieve the person so paying from road duty for the year in which said commutation tax is paid.

Commutation
permitted.

Amount.

Number of
days.Certificate to
be furnished.Names to be
furnished of
officers.

SEC. 2. That immediately after the payment of the said commutation tax it shall be the duty of the County Treasurers of this

State to furnish the County Commissioners of their respective Counties with the names of all persons who have paid said commutation tax ; and the said County Commissioners shall furnish all overseers or contractors with the names of all such persons, who shall not be liable to road duty for the year in which said payment may be made.

A. D. 1885.

SEC. 3. That all money so paid in commutation of work on the public roads shall be kept separate from the general County fund, and shall be exclusively applied by the said County Commissioners to repairing the highways and bridges of the County, by contract or otherwise, as may be deemed most expedient : *Provided*, That said County Commissioners be required to expend said money upon those sections of the public roads whereon the persons paying such commutation tax may be liable for road duty : *Provided*, Nothing herein contained shall apply to Gregg Township, Aiken County.

Money to be kept distinct.

How applied.

Where applied.

Exception.

SEC. 4. That all Acts and parts of Acts inconsistent with this Act be, and the same are hereby, repealed.

Repealing clause.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.

AN ACT TO AMEND THE CHARTER OF THE TOWN OF EASLEY.

No. 226.

- SEC. 1.—Incorporation. Name and limits.
 SEC. 2.—Intendant and Wardens. Elections.
 SEC. 3.—Oaths of officers.
 SEC. 4.—Conduct and determination of election. Term of office.
 SEC. 5.—Vacancies.
 SEC. 6.—Powers of Town Council. Marshals.
 SEC. 7.—Arrest and imprisonment.
 SEC. 8.—Sentences. Labor on streets.
 SEC. 9.—Trials.
 SEC. 10.—Streets. Sidewalks. Compounding for work. Public duty.
 SEC. 11.—Taxes. Lien.
 SEC. 12.—Property rights.
 SEC. 13.—Licenses.
 SEC. 14.—Nuisances. Board of Health.
 SEC. 15.—Plays and shows.
 SEC. 16.—Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act all citizens of the United States and of this State, who have resided one year in this State and sixty days in the Town of Easley, shall be deemed, and are hereby declared, a body politic and corporate, and the said town shall be called and known by the name of Easley, and its corporate limits shall extend one-half of one mile from depot in said town in a direction due North, South, East and West, and shall include a square formed upon the extremities of lines so drawn.

SEC. 2. That the said town shall be governed by an Intendant and four Wardens, who shall be elected on the third Monday in April in each and every year; on which said days an election shall be held for an Intendant and four Wardens, who shall be citizens of the United States and of this State, and shall have been resident of said town twelve months immediately preceding such elections; and said elections shall be held in such place in said town as the Intendant and Wardens shall designate, ten days' public notice thereof being given by advertisement; and that all male inhabitants of said town of the age of twenty-one years, citizens of the United States and of this State, who shall have resided one year in this State and in the town aforesaid sixty-days next preceding the election (paupers and persons under disabilities for crime excepted) shall be entitled to vote for Intendant and Wardens: *Provided*, That no person be allowed to vote unless he is qualified under the laws of the United States and of this State.

SEC. 3. That the Intendant and Wardens elected under this Act, before entering upon the duties of their office, shall take the oath prescribed by the Constitution of this State, and the following oath, to wit: "As Intendant (or Warden) of the Town of Easley, I do solemnly swear that I will faithfully, impartially and to the best of my ability exercise the trust in me reposed, and will use my best endeavors to carry into effect, according to law, the purposes of my appointment: So help me God."

A. D. 1885.

Oaths of office.

SEC. 4. That for the purpose of holding the elections provided for in this Act, the Intendant and Wardens, for the time being, shall appoint three citizens as a Board of Managers to conduct said election, who, before they open the polls, shall take an oath fairly and impartially to conduct the same. Said election shall be held and conducted in the same manner as the general elections, under the laws of this State, are conducted; polls to be opened at eight o'clock A. M. and closed at five o'clock P. M., and when the polls shall have been closed the Managers shall forthwith publicly count the votes, proclaim the election and give notice in writing to the Intendant for the time being of the result, who shall within two days thereafter give notice in writing, or cause the same to be given, to persons duly elected. The said Intendant and Wardens selected shall hold their offices from the time of their qualification until the third Monday in April of the ensuing year, and until their successors shall be elected and qualified.

Board of Managers.

Hours.

Determining and announcing result.

Term of office of Council.

SEC. 5. That if a vacancy shall occur in the office of Intendant or any of the Wardens by death, resignation, removal from the State, or from any other cause, an election shall be held by appointment of the Intendant and Wardens, or by the Wardens, as the case may be, ten days' public notice thereof being given by advertisement; said election to be held in the manner hereinbefore provided; and in case of sickness or temporary absence of the Intendant, the Wardens forming a Council shall elect one of themselves to act as Intendant during such sickness or temporary absence; and in case there be no Intendant and no Warden, then by appointment of the Clerk of the Court for Pickens County, ten days' notice being given, as provided in Section (4) hereof.

Vacancies.

SEC. 6. That the Intendants and Wardens or Town Council of Easley, a majority of whom constituting a quorum, are hereby vested with all of the powers and jurisdiction for the violation of town ordinances as is now given to a Trial Justice,

Powers of Trial Justice.

A. D. 1885.
 Council meet-
 ings.

Powers of
 Council.

Marshals.

Ordinances.

Fines and im-
 prisonment.

Guard House.

Arrest and
 commitment.

Posse comi-
 tatus.

except in civil cases. That the Intendant, as often as the occasion may require, shall summon the Wardens to meet him in Council for the transaction of business, and shall be known as the "Town Council of Easley;" and they and their successors in office shall have a common seal, may sue and be sued, plead and be impleaded, in any Court of Law or Equity in this State; and have power and authority from time to time to appoint so many persons to act as Marshals and Constables as they shall deem expedient and proper, which officer or officers shall have all the powers, privileges and emoluments, and be subject to all the duties, penalties and regulations, for the office of Constables; and the Intendant and Wardens in Council shall have power under their corporate seal to ordain and establish all such rules, by-laws and ordinances respecting streets, sidewalks, ways, public wells, markets and police of said town, and for preserving health, peace, order and good government, as shall appear to them necessary and requisite for the security, welfare and convenience of the said town; and the said Council may fix and impose fines or imprisonments for the violation thereof, and appropriate the same to the use of the corporation; but no fine shall exceed one hundred dollars, and no imprisonment shall exceed thirty days in the guard house: *Provided*, Such ordinances, rules, by-laws or regulations be not contrary to the laws of this State.

SEC. 7. The said Town Council shall have power to establish a guard house and prescribe by ordinances suitable rules and regulations for governing the same; and the said Town Council may by an ordinance, or the Intendant and Wardens in person, any one or more of them, authorize and require any policeman of the said town to arrest and commit to said guard house, for a term not to exceed forty-eight hours before trial, any person or persons who, within the said corporate limits, may be engaged in a breach of the peace, any riotous or disorderly conduct, open obscenity, public drunkenness, or in any conduct grossly indecent or dangerous to the citizens of said town or any of them; and it shall be the duty of the policemen of said town to arrest and commit all such offenders, when required by said ordinances or any member of the Town Council so to do, and they shall have power to call to their assistance the *posse comitatus*, if need be, in making such arrest; and all persons so imprisoned shall pay the costs and expenses incident to such imprisonment; and any person so

summoned by any policeman to aid in such arrest, and refusing to render any or proper assistance, shall be fined a sum not to exceed ten dollars or be imprisoned for a period not exceeding five days in the guard house.

A. D. 1885.

Penalties.

SEC. 8. The said Town Council may sentence persons convicted of violation of any of the ordinances of said town to fine, or imprisonment in the alternative, as may be provided, and any person sentenced to imprisonment directly, or in consequence of failure to pay the fine imposed, shall during their term of imprisonment be required to work upon the streets of the said town, unless they be expressly exempted therefrom in the sentence pronounced by the said Town Council.

Sentences.

Work on streets.

SEC. 9. That the said Town Council shall have full power and authority to try all offenders against the ordinances of the said town immediately upon their apprehension or arrest, or as soon thereafter as possible, unless such persons enter into good and sufficient bond, to be approved by the Intendant, or, in his absence, by the Clerk of the Council, in which event the trial shall be deferred until some day named by the Town Council: *Provided*, That the time deferred does not exceed one month; and that the said Town Council shall have the same power which Trial Justices now have of compelling witnesses' attendance, and requiring them to give evidence upon trial before them of any person or persons for violation of any of their rules, by-laws or ordinances.

Trial of offenders.

Bond for appearance.

Witnesses.

SEC. 10. That the said Town Council shall have full and exclusive control over all streets, roads and ways in the said town, and it shall be their duty to keep them open and in good repair; they shall have power to close or change all such roads, streets or ways within said town as they may deem conducive to the public convenience, and may sell the freehold of any street, road or way that they may close either at private or public sale, as they may deem best; and they shall have power to lay out, adopt, open and keep in repair all such new ways, streets or roads as they may deem necessary for improvement and convenience of the said town: *Provided*, They be subject to the same law governing County Commissioners in like cases. The said Town Council shall have power to require all persons owning a lot or lots in said town to make and keep in good repair sidewalks in front of said lot or lots whenever the same shall front on or adjoin any public street in said town; and the said Town Council shall have all the powers over streets, roads and ways therein which are now given or may hereafter be given to

Streets.

Opening and closing.

Sale of streets.

New streets.

Sidewalks.

- A. D 1885. County Commissioners over the roads in the several Counties, subject to limitation, nevertheless, herein prescribed ; and they ^{May com- pound for street duty.} shall have power to compound with all persons liable to work the streets, ways and roads in the said town upon such terms as they shall by ordinance establish, moneys so received to be applied to the uses of such corporations. And, moreover, the
- Public duty. said Town Council shall have power to classify and arrange the inhabitants liable to public street duty, as occasion may require, and require them to perform such duty, and enforce the performance of the same under the same penalties as are now or may hereafter be established by law.
- Annual tax. SEC. 11. That the said Town Council shall have power to impose an annual tax upon all real and personal property within
- Limit. the limits of the said town : *Provided*, The said tax does not exceed the sum of twenty cents on the one hundred dollars ;
- Enforcing collection. and the said Town Council shall have power to enforce the payment of all taxes levied under the authority of this Act against the property and the persons of defaulters to the same extent and in the same manner as is provided by law for the collection
- Executions. of the general State tax, except that the execution to enforce the payment of the town taxes shall be issued under the corporate seal of the said town, signed by the Intendant and countersigned by the Clerk of Council and directed to the Marshal or Chief of Police or other persons especially appointed by said Council to collect the same ; and all property upon which a tax
- Lien. shall be levied shall be liable for the payment thereof in preference to all other debts due by the person owning the same at the time the tax was levied and assessed, except debts due the State and County, which shall be first paid.
- Property rights. SEC. 12. That the said Town Council shall have power to retain, purchase, possess, hold and enjoy all such property as they may be possessed of or entitled to, or which shall hereinafter be given, bequeathed to or in any manner acquired by them, and to sell, alien or in any wise transfer the same or any part thereof : *Provided*, The amount of property so held or stock invested shall in no case exceed the sum of ten thousand
- Limit. dollars.
- Licenses. SEC. 13. That the said Town Council are hereby empowered to require all persons, companies and corporations now engaged or who may hereafter be engaged in business or vocations of any kind whatsoever within the corporate limits of said Town of Easley to take out a license from the Intendant and Wardens of

said town, who are hereby authorized to impose a reasonable tax or charge for the conducting of the same, and also that the Town Council be empowered to collect the same in way and manner as is provided for collecting taxes due the said town in Section eleven hereof of this Act.

A. D. 1885.

SEC. 14. That the said Town Council shall have power and full authority to abate all nuisances within the corporate limits, and also to appoint a Board of Health for said town, and to pass all such ordinances as may be necessary to define the powers and duties of said Board.

Nuisances.

Board of Health.

SEC. 15. That the said Town Council shall have power to collect licenses or taxes from all persons representing publicly within its corporate limits for gain or reward any plays or shows, of what nature or kind soever, to be used for the purposes of the corporation.

Plays and shows.

SEC. 16. That all Acts or parts of Acts inconsistent with the provisions of this Act be, and the same are hereby, repealed.

Repealing clause.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO AMEND No. 227.
AND RENEW THE CHARTER OF THE TOWN OF ABBEVILLE,"
APPROVED MARCH 17, 1875.

SEC. 1.—Charter amended as to Intendant and Wardens. Powers, &c.

SEC. 2.—Amendment as to trial of offenders.

SEC. 3.—To take effect immediately.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section 5 of an Act entitled "An Act to amend and renew the charter of the Town of Abbeville," approved March 17, 1875, be

A. A. 1875, § 5,
15 Stat. 916,
amended.

<p>A. D. 1895.</p> <p>Intendant and Wardens.</p>	<p>amended so as to read as follows : That the Intendant and Wardens duly elected and qualified shall, during their term of office, severally and respectively, be vested with all the powers of Trial Justices or other inferior Courts in this State, except the trials of civil causes, within the limits of said town ; and the Intendant shall and may, as often as may be necessary, summon the Wardens to meet in Council, any three of whom may constitute a quorum to transact business ; and they shall be known as the Town Council of Abbeville ; and they and their successors, hereafter to be elected, may have a common seal, which shall be affixed to all their ordinances ; may sue and be sued, may plead and be impleaded, in any Court in this State. They shall have power to abate and remove nuisances within the limits of the corporation ; and, under its corporate seal, to enact all such ordinances as may be necessary to regulate the practice of the Council, and all such ordinances respecting the streets, ways, lots, fences, markets and police of the said town, or for preserving cleanliness, health, peace, order and good government within the same, and to prevent the violation of its ordinances, by ordering fines, penalties and imprisonment for the violation thereof : <i>Provided</i>, That no fine shall exceed one hundred dollars for any one offense, and no imprisonment shall exceed thirty days.</p>
<p>Council meetings.</p>	
<p>Name and powers.</p>	
<p>Nuisances.</p>	
<p>Ordinances.</p>	
<p>Fines and imprisonment.</p>	
<p>Section 6 amended.</p> <p>Trials and sentences.</p>	<p>SEC. 2. That Section 6 of said Act be amended so as to read as follows : When any person is charged with a violation of any ordinance of said town, and such violation is punishable by fine or imprisonment, the Council may try the case and may sentence the offender to pay a fine of not more than one hundred dollars, or to suffer imprisonment of not more than thirty days, or, in lieu of such imprisonment, to work at hard labor on the public streets, at the rate of one day for each dollar of fine, or may put the sentence in the alternative. In all cases of trials to be held before the said Town Council the party charged shall be cited to trial by a service upon him of a summons, under the hand of the Intendant, or any one of the Wardens, wherein shall be expressed with certainty the offense charged and the time and place of trial, which service shall be made at least five days before the day of trial ; and all persons so charged may be required to give bond with security for their appearance to</p>
<p>Summons to be served.</p>	
<p>Bond for appearance.</p>	

answer said charge, or be kept in confinement until the day appointed for trial. A. D. 1885.

SEC. 3. That this Act shall take effect upon its approval. When to take effect.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.
HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND AN ACT ENTITLED "AN ACT TO MAKE No. 228. CERTAIN CHANGES WITH REGARD TO CORONER, TRIAL JUSTICES AND COUNTY COMMISSIONERS, COUNTY OFFICERS OF CHARLESTON, WHICH HAVE BECOME NECESSARY BY REASON OF THE CREATION OF THE COUNTY OF BERKELEY OUT OF A PART OF CHARLESTON COUNTY," APPROVED DECEMBER 21ST, 1882, SO FAR AS THE SAME RELATES TO THE OFFICE OF CORONER.

SEC. 1.—Regulations affecting the Coroner of Charleston.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That an Act entitled "An Act to make certain changes with regard to Coroner, Trial Justices and County Commissioners, County officers of Charleston, which have become necessary by reason of the creation of the County of Berkeley out of a part of Charleston County," approved December 21st, 1882, be, and the same is hereby, amended by striking out Section 2 and inserting instead thereof the following: A. A. 1882, § 2.
18 Stat. 89,
amended.

SECTION 2. The Coroner of Charleston County shall be paid, out of the funds of the County, upon the order of the County Commissioners, a salary at the rate of twenty-five hundred (\$2,500) dollars per annum; he shall appoint one deputy, who shall reside at the County seat, and shall perform all the services Substituted
Section 2.
Salary of
Coroner.

Salary and
duties of deputy.

A. D. 1885.	of Clerk of the Coroner, and shall receive a salary of eight hundred (\$800) dollars in the same manner as is herein provided
Duties of Coroner and deputy.	for payment of the salary of the Coroner; and the Coroner and his said deputy, subject to the orders and instructions of the
	Coroner, shall perform all the duties of Coroner within the said County, and shall summon and warn all jurors for inquests held
Jurors.	by them, or either of them; and each and every person so summoned and warned to be a juror, and failing to appear and act
	as such juror, shall forfeit and pay the sum of twenty dollars, if without reasonable excuse, to be recovered by action: <i>Pro-</i>
Trial Justice at McClellanville to hold inquests.	<i>vided, however,</i> That the Trial Justice residing at or near McClellanville in said County shall hold such inquests as may
	be necessary, and do such other business pertaining to the office of Coroner in cases arising within his vicinity, in the absence
His salary.	of the Coroner, and make prompt and full report thereof to the Coroner. For such services the said Trial Justice shall receive,
	besides his salary as Trial Justice, the sum of one hundred and fifty dollars per annum, to be paid in the same manner as here-
Pay for duties in St. Andrew's.	inbefore provided for the Coroner. That the further sum of three hundred dollars be annually appropriated by the County
	Commissioners of Charleston County to be paid for the duties of Coroner in that part of said County formerly a part of Saint
Proviso.	Andrew's Parish, such sum to be paid either to a deputy appointed by the Coroner or to the Coroner himself: <i>Provided,</i>
	That in the event of the said duties being performed by the Coroner he shall file with the County Commissioners his state-
To be in lieu of fees.	ment, under oath, that the duties of said office in such part of the County have been performed by him in his own proper
	person. That all the aforesaid salaries be in lieu and stead of all charges, costs and fees whatever, except the costs, fees and
Special deputy.	compensation to which the Coroner may be entitled whilst acting as Sheriff. The Coroner may appoint a Special Deputy Coroner
	with jurisdiction in any part of the County whenever any special occasion may require such appointment: <i>Provided,</i> Such
Trial Justices not to act.	Special Deputy shall have no right to make any charge against the County for services as such Special Deputy. No Trial
	Justice <i>virtute officii</i> can act as Coroner on any occasion in the County of Charleston except the Trial Justice residing at or
Coroner's office.	near McClellanville as hereinbefore provided. The County Commissioners of Charleston County shall provide for the
	Coroner an office in the City of Charleston and necessary books and stationery, provided the same does not exceed the cost of
	twenty-five (\$25) dollars per annum. For any neglect of the

duties of his office, or for any malfeasance therein, the Coroner, Deputy Coroner, or the aforesaid Trial Justice, so neglecting such duty, or so committing malfeasance therein, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than fifty (\$50) dollars and not more than one thousand (\$1,000) dollars, or be imprisoned at the discretion of the Court, or be both fined and imprisoned, as the Court may direct; one-half of such fine shall be paid to the person informing upon such neglect or malfeasance. In case of death from old age or other natural causes, the Coroner, upon proof thereof, may issue a burial certificate without empaneling a jury.

A. D. 1885,
Penalties for
malfeasance.

Pay of in-
former.

Burial cer-
tificates.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT RELATING TO THE OFFICE OF CORONER OF SUMTER No. 229. COUNTY.

SEC. 1.—Burial certificates without inquest. Jury. Physician.

SEC. 2.—Constable to summon jury. Fees.

SEC. 3.—Limited to Sumter. Repealing clause.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That when the Coroner or acting Coroner shall be informed of or shall see the dead body of any person supposed to have come to a violent and untimely death, found lying within his County, it shall be his duty to investigate the circumstances attending the death of such person, and if, upon such investigation, it shall appear that such person died from natural causes, then it shall be his duty to give a burial certificate in accordance with such fact; but if it shall appear that there are circumstances attending the death of such person which denote the commission of a

To investigate
causes of
death.

Burial cer-
tificate.

A. D. 1885. crime, then such Coroner shall issue his warrant for a jury of inquest and shall proceed in the manner now required by law. That in the investigation hereinbefore directed, the Coroner or acting Coroner may call to his aid a physician to make such *post mortem* examination, who shall receive the fee allowed by law. And such Coroner or acting Coroner shall receive a fee of three dollars for such investigation.

Constable to summon jury. SEC. 2. That such Coroner or acting Coroner shall have power to appoint a Constable to summon a jury of inquest, and such Constable, or whenever the Sheriff shall summon a jury of inquest, shall receive for his services in summoning such jury and witnesses the fee prescribed in Section 2438 of the General Statutes of this State.

Limitation. SEC. 3. That this Act shall apply only to the County of Sumter, and that so much of all Acts as is supplied by or inconsistent with this Act is hereby repealed.

Repealing clause.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

No. 230. AN ACT TO REPEAL SECTION 821 OF THE GENERAL STATUTES, RELATING TO TRIAL JUSTICES IN THE COUNTY OF SPARTANBURG, AND PROVIDING A SUBSTITUTE THEREFOR.

SEC. 1.—Trial Justice for Spartanburg City ; his salary, &c.

SEC. 2.—Governor authorized to remove and appoint.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section eight hundred and twenty-one of the General Statutes of said State be, and the same is hereby, repealed, and the following substituted therefor, to be known as Section 821 :

Substituted Section. SECTION 821. One Trial Justice shall be appointed for the City of Spartanburg from among the Justices allowed for the County of Spartanburg, who shall reside in said city and keep Trial Justice in the city.

Gen. Stat. § 821, repealed.

his office there. Said Trial Justice shall receive a salary at the rate of two hundred and fifty dollars per annum in lieu of all other charges against the County, payable quarterly by the County Treasurer out of County funds, and all costs taxed and recovered, and all fines recovered, in criminal cases in the Courts of Trial Justice shall be forthwith paid over to the Treasurer of the said County. And the Trial Justices shall report quarterly to the County Commissioners all fees, fines and costs recovered by them during said quarter. Said Trial Justices for the City of Spartanburg shall be allowed one Constable, who shall receive all fees and costs allowed by law for services by him rendered as such Constable.

A. D. 1885.

Salary.

Costs and fees.

One Constable and his pay.

SEC. 2. That the Governor is hereby authorized to remove either of the Trial Justices now acting as such in said city, and to appoint one Trial Justice in accordance with the provisions of this Act.

Governor to remove and appoint.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO AMEND SECTION 2398 OF THE GENERAL STATUTES, No. 231.
RELATIVE TO THE ENFORCEMENT OF AGRICULTURAL LIENS.

SEC. 1.—Requisites of affidavits. Motion to vacate.

SEC. 2.—Bond to be given by person obtaining warrant; Amount.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That Section two thousand three hundred and ninety-eight (2398) of the General Statutes be amended by inserting at the end of said Section the following words: "*And provided, further, That the affidavit and statements to be used to obtain such warrant of seizure shall conform, as nearly as may be, to the practice regu-*

Gen. Stat. § 2398, amended.

Requisites of affidavits.

A. D. 1885.
 Motion to
 vacate.

Bond of per-
 son obtaining
 warrant.

Amount of
 bond.

lating the issuing of warrants of attachment under the Code of Procedure, and the person against whom it is issued shall have the right to move before the Clerk of the Court, or Trial Justice, by whom it is issued, or a Circuit Judge, to vacate said warrant of seizure for any of the causes which would be sufficient to vacate a warrant of attachment issued under the Code of Procedure: *And provided, further,* That the party applying for such warrant of seizure shall be required by the officer issuing the same to enter into a written undertaking with sufficient surety to the effect that he will pay to the party whose crops are to be attached or seized such costs as may be awarded to him should said warrant be set aside, and all damages that he may sustain in consequence of the issuing of such warrant, if it should be decided by any Court of competent jurisdiction that the same had been illegally or improvidently issued, not exceeding the sum specified in the undertaking, which shall be at least two hundred and fifty dollars, except in case of a warrant issued by a Trial Justice, when it shall be at least twenty-five dollars."

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
 President of the Senate.
 JAMES SIMONS,
 Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
 Governor.

No. 232. AN ACT TO PROVIDE FOR THE MORE SPEEDY AND EFFICACIOUS PAYMENT OF THE PER DIEM AND MILEAGE OF JURORS IN BEAUFORT COUNTY.

SEC. 1.—List to be furnished County Commissioners.
 SEC. 2.—Fund to be kept to pay jurors.

List to be fur-
 nished County
 Commission-
 ers.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That immediately after the drawing of the jurors for any special or regular term of the Courts of General Sessions or Common Pleas for the County of Beaufort, it shall be the duty of the

Jury Commissioners forthwith to furnish the County Commissioners of said County with a list of the jurors so drawn.

A. D. 1885.

SEC. 2. That said County Commissioners shall immediately thereupon direct the County Treasurer to retain in his hands a sum sufficient to pay the per diem and mileage of said jurors, if there be a sufficient amount in his hands; same to be known as the Jurors' Fund, and to be applicable only to the payment of said per diem and mileage.

Fund to be kept to pay jurors.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.

JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO ALLOW THE SUPERINTENDENTS OF HIGHWAYS IN THE COUNTIES OF CHESTER, SPARTANBURG AND PICKENS THE SUM OF TWO DOLLARS PER DAY FOR THEIR SERVICES FOR TWELVE DAYS IN EACH YEAR. No. 233.

Pay of Superintendent of Highways.

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That on and after the passage of this Act each Superintendent of Highways in the Counties of Chester, Spartanburg and Pickens shall be entitled to receive the sum of two dollars per day for his services as such, not to exceed twelve days in each year.

Pay of Superintendent of Highways.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.

JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885. **AN ACT TO AMEND SECTIONS 1838 AND 1839 OF THE GENERAL STATUTES, RELATING TO IMPROVEMENTS MADE UPON LANDS BY OCCUPYING CLAIMANTS.**
 No. 234.

SEC. 1.—Stay of judgment. Verdict for betterments. Lien.

SEC. 2.—Sale. Disbursements of proceeds. Payment for betterments.

SEC. 3.—Not applicable to former actions.

Gen. Stat.
 § 1838, amend-
 ed.

Substituted
 Section.

Judgment
 stayed until
 sale.

Special ver-
 dict.

Lien for bet-
 terments.

Section 1839
 amended.

Substituted
 Section.

Sale to be
 ordered.

Disburse-
 ment of pro-
 ceeds.

Plaintiff may
 pay value of
 betterments.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the General Statutes be amended by striking out Section 1838 and inserting the following in lieu thereof :

SECTION 1838. The Court on the entry of such action shall stay all proceedings upon the judgment obtained in the prior action, except the recovery of such lands, until the sale of the lands recovered as hereinafter provided ; and the final judgment shall be upon a special verdict by a jury, under the direction of the Court, stating the value of the lands and tenements without the improvements put thereon in good faith by the defendant, and the value thereof with improvements. The defendant in ejectment shall be entitled for said betterments to a verdict for the value thereof, as of the date when the said lands were recovered from him, and interest on said verdict from said date, and the lands and tenements so recovered shall be held to respond to said judgment for betterments in the same manner and for the same time as if the same had been attached on mesne process.

SEC. 2. That Section 1839 of the General Statutes be amended by striking out the same and inserting the following in lieu thereof :

SECTION 1839. When final judgment shall be rendered as provided in Section 1838, the Court shall direct a sale of the land recovered in ejectment on the following terms : That out of the proceeds of sale, the plaintiff in ejectment, or his legal representative, be paid the amount ascertained as the value of his land without improvements put thereon in good faith by the defendant, and the surplus, if any, be paid to the occupying claimant, or his legal representative, and said judgment for betterments shall be a lien on such land in preference to all other liens : *Provided, however,* That this Section shall not apply to cases where the plaintiff in ejectment, or his legal representative, shall, within sixty days after the aforesaid special verdict, pay into the office of the Clerk of the Court, for the defendant, the value of the betterments as so found in said special verdict.

SEC. 3. The amendments provided in this Act shall not apply in any case where verdict for betterments has been rendered in favor of the defendant in ejectment in any action heretofore decided.

A. D. 1885.

Not applica-
ble to former
actions.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

AN ACT TO INCORPORATE THE RED BANK MILLS., No. 235.

SEC. 1.—Incorporation. Name and purposes. Capital stock.

SEC. 2.—Real estate. Other powers.

SEC. 3.—Shares of stock.

SEC. 4.—Liability of stockholders.

SEC. 5.—Public Act. Duration.

SECTION 1. *Be it enacted* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That A. E. Hutchison, John R. London, Allen Jones, T. C. Robertson, Willie Jones, John Fisher and Mrs. E. M. Porcher, and such other persons as are now or may hereafter be associated with them, their successors and assigns, be, and they are hereby, constituted a body corporate and politic, by the name and style of the Red Bank Mills, for the purpose of manufacturing, dyeing, printing and finishing all goods and textiles made of cotton or wool, or of which cotton or other fibrous articles may form a part, and for making cotton seed oil, for grinding wheat, corn and other grains, sawing lumber and selling merchandise, and for the transaction of all such business as may be connected therewith; and may erect such mills, buildings, machine shops and other works as may be required or necessary to carry on such branches of manufacture and business, and may make and procure such machinery, tools and implements as may be required or necessary for the same; and they shall have power to raise by

Incorporation.

Name and
purposes.

May erect
works.

Machinery
and tools.

- A. D. 1885.** subscription, in shares of one hundred dollars each, a capital of fifty thousand dollars, with the privilege of increasing said subscription to a capital of two hundred thousand dollars, the consent of a majority of the Directors of the said company being first had and obtained before said increase of capital be made.
- Capital stock.**
- Real estate.** SEC. 2. That the said corporation may purchase and hold such real estate as they may think necessary for their purposes, and such as they may deem it for their interest to take in the settlement of any debts due to them, and may dispose of the same; and may sue and be sued in all Courts, have and use a common seal, and make such by-laws and regulations for their government as they may deem proper and necessary, not inconsistent with the Constitution and laws of the United States and of this State, and shall have generally all the rights, powers and privileges in law incident or appertaining to corporations.
- Other powers.**
- Shares of stock.** SEC. 3. That the capital stock shall be deemed personal property, and transferable on the books of said corporation. Each stockholder shall have one vote for each share he may own or represent at the election of President and Directors, and at all meetings of the company.
- Liability of stockholders.** SEC. 4. That each stockholder in said corporation shall be jointly and severally liable for its debts to the extent of five per cent. of the par value of the share or shares held by him in addition to said shares.
- Public Act.** SEC. 5. That this Act shall be deemed and taken as a public Act, and shall continue in force for the term of thirty years, and until the next meeting of the General Assembly thereafter.
- Duration.**

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.

No. 236.

**Exempted
Section.**

**Provided
fences be built.**

By the 1st
March next.

J. C. SHEPPARD.

JAMES SIMONS.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.

JOINT RESOLUTIONS.

No. 1. A JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF
THE CLAIM OF THOMAS J. ROUNDTREE.

SEC. 1.—Comptroller General to draw warrant for \$51.50.

SEC. 2.—State Treasurer to pay same.

Comptroller
General to
draw warrant.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller General is hereby authorized and required to draw his warrant on the State Treasurer for the sum of fifty-one and 50-100 dollars in favor of Thomas J. Roundtree, in payment of his claim for compensation and expenses in arresting Ely Easter, a fugitive from justice, under a requisition from the Governor of this State.

State Treas-
urer to pay.

SEC. 2. The State Treasurer is hereby authorized and required to pay said warrant out of any moneys in the Treasury not otherwise appropriated.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 15th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

A JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF CERTAIN COSTS ACCRUED TO E. W. CANNON, EX-TREASURER OF DARLINGTON COUNTY, UPON DELINQUENT REAL ESTATE FOR THE YEARS 1880 AND 1881, NOW FORFEITED TO THE STATE.

A. D. 1885.

No. 2.

SEC. 1.—Comptroller General to draw warrant for \$105.30.

SEC. 2.—State Treasurer to pay the same.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller General is hereby authorized and required to draw his warrant upon the State Treasurer in favor of E. W. Cannon, ex-Treasurer of Darlington County, for the sum of one hundred and five and 30-100 dollars, to liquidate the costs upon delinquent real estate accruing to the said ex-Treasurer for the years 1880 and 1881, the said real estate being now forfeited to the State.

Comptroller
General to
draw warrant.

SEC. 2. That the State Treasurer be, and hereby is, authorized and required to pay said warrant out of any moneys in the State Treasury not otherwise appropriated.

State Treas-
urer to pay.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.

JAMES SIMONS,
Speaker House of Representatives.

Approved December 15th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.

No. 3.

A JOINT RESOLUTION TO AUTHORIZE THE COUNTY COMMISSIONERS OF CLARENDON COUNTY TO APPLY THE SURPLUS FROM THE "JAIL FUND" AND THE TAX COLLECTED TO LIQUIDATE THE DEFICIENCY IN THE ORDINARY COUNTY ACCOUNT FOR THE YEAR 1882 TO THE LIQUIDATION OF DEFICIENCIES IN ORDINARY COUNTY EXPENSES FOR THE YEAR 1883.

SEC. 1.—Appropriation of surplus from Jail fund.

Appropriation
of surplus.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Clarendon County are hereby authorized and empowered to apply the surplus from the "Jail fund" and the tax collected to liquidate the deficiency in the ordinary County account for the year 1882 to the liquidation of deficiencies in ordinary County expenses for the year 1883.

In the Senate House, the fourteenth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 15th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

No. 4. A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE COUNTY TREASURER OF PICKENS COUNTY TO PAY CERTAIN PAST DUE SCHOOL CLAIMS IN SAID COUNTY.

SEC. 1.—Amounts to be paid to W. T. McFall and J. H. Bowen.

Amounts to
be paid to W.
T. McFall.

Amount to be
paid to J. H.
Bowen.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Treasurer of Pickens County be, and he is hereby, authorized and required to pay W. T. McFall the sum of fifty dollars out of the public school fund apportioned to School District No. 2 for the year 1886, and the sum of twenty-five dollars out of the public school fund apportioned to School

District No. 4 for the year 1886, and to J. H. Bowen the sum of twenty-five dollars out of the public school fund apportioned to School District No. 6 for the year 1886.

A. D. 1885.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A JOINT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 14, ARTICLE IX, OF THE CONSTITUTION OF THE STATE OF SOUTH CAROLINA, RATIFIED OF THE 16TH DAY OF APRIL, 1868. No. 5.

SEC. 1.—Proposed Constitutional amendment as to public debt.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following amendment to the Constitution of this State be submitted to the qualified electors of the State at the next general election, and if a majority of the electors qualified to vote for members of the General Assembly, voting thereon, shall vote in favor of such amendment, and two-thirds of each branch of the next General Assembly shall, after such election and before another, ratify the same amendment, it shall be a part of the Constitution, to wit: That Section 14, Article IX, as ratified on the 16th day of April, 1868, be amended so as to read as follows:

SECTION 14. Any debt contracted by the State shall be by loan on State bonds, or stock, of amounts not less than one hundred dollars each, bearing interest, payable semi-annually, and payable within fifty years after the final passage of the law authorizing such debt. A correct registry of all such bonds or stock shall be kept by the Treasurer in numerical order, so as always

Amendment
to be submit-
ted.

Description of
bonds of State.

Registry.

A. D. 1885. to exhibit the number and amount unpaid and to whom severally made payable.

Form of bal-
lots.

That the question of adopting this amendment shall be submitted to the electors, as follows: Those in favor of the amendment shall deposit a ballot with the following words plainly printed or written thereon: "Constitutional amendment in reference to the issue of State bonds—Yes." Those opposed to said amendment shall cast a ballot with the following words printed or written thereon: "Constitutional amendment in reference to the issue of State bonds—No."

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,

Governor.

No. 6. A JOINT RESOLUTION TO PAY L. M. GENTRY THE AMOUNT DUE HIM UNDER THE WARRANTY DEED OF THE STATE.

To be paid \$33.25 by the State Treasurer.

To be paid
\$33.25 by the
State Treas-
urer.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Treasurer of the State shall, upon the warrant of the Comptroller General, who is hereby required to make the same, pay to L. M. Gentry the sum of thirty-three 25-100 dollars, the amount due the said L. M. Gentry from the State by reason of the breach of warranty of the deed of certain lands made by

the State to said L. M. Gentry on 18th September, 1872, and recorded in the office of the Register of Mesne Conveyances for Spartanburg County in Book LL, page 746.

A. D. 1885.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A JOINT RESOLUTION TO PAY TO D. D. VERNER TWENTY- No. 7.
EIGHT 38-100 DOLLARS OVERPAID TAXES FOR THE FISCAL
YEAR OF 1877.

SEC. 1.—Amounts to be repaid by the State Treasurer and County Treasurer.

Whereas it appears from the tax receipts and certificate of the County Treasurer of Oconee that certain property was, by mistake, listed twice, and twenty-eight 38-100 dollars taxes was improperly paid by D. D. Verner for the fiscal year of 1877; therefore,

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller General is authorized to issue his warrant to D. D. Verner for twelve 96-100 dollars, and the State Treasurer is authorized to pay the same out of any money in the Treasury not otherwise appropriated; and the County Commissioners of Oconee County are authorized and required to issue their check to D. D. Verner for fifteen 42-100 dollars, and the County

To be paid
\$12.96 by the
State Treas-
urer.

And \$15.42 by
the County
Treasurer of
Oconee.

A. D. 1885.

Treasurer is hereby authorized and required to pay the same out of current funds in the County Treasury.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,

Governor.

No. 8. A JOINT RESOLUTION TO AMEND A JOINT RESOLUTION ENTITLED "A JOINT RESOLUTION TO AUTHORIZE THE COUNTY COMMISSIONERS OF EDGEFIELD AND NEWBERRY COUNTIES TO BUILD CERTAIN BRIDGES OVER THE SALUDA RIVER."

Bridges directed to be built.

J. R. 1884,
18 Stat. 953,
amended.

Commission-
ers directed to
build bridges.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a Joint Resolution entitled "A Joint Resolution to authorize the County Commissioners of Edgefield and Newberry Counties to build certain bridges over the Saluda River" be, and the same is hereby, amended by inserting after the word "empowered" the words "and directed," so that said Joint Resolution will read as follows: "That the County Commissioners of Edgefield and Newberry Counties are hereby authorized and empowered, and directed, to build bridges over the Saluda River at Chappell's Depot and Bouknight's Ferry."

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,

Governor.

A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE COUNTY COMMISSIONERS OF DARLINGTON COUNTY TO PAY TO D. H. TRAXLER, COUNTY TREASURER, THE SUM OF \$94.04 FOR AMOUNT OVERPAID BY HIM TO THE COUNTY.

A. D. 1885.

No. 9.

Warrant to be drawn and paid out of County funds of 1884-5.

Whereas in the settlement for the County taxes of the fiscal year 1882-83, there appeared an overpayment by the County Treasurer of \$94.04; *and whereas* there were no funds in the County Treasury out of which this overpayment could be refunded; therefore,

Preamble.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Darlington County be, and they are hereby, authorized and required to draw their warrant on the County Treasurer in favor of the said D. H. Traxler, County Treasurer, for the sum of \$94.04, the same to be paid out of the County funds belonging to the fiscal year commencing November 1, 1884.

County Commissioners to draw warrant.

How paid.

In the Senate House, the twenty-second day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 22d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.

No. 10.

A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE COMPTROLLER GENERAL OF THE STATE AND THE COUNTY COMMISSIONERS OF FAIRFIELD COUNTY TO ISSUE THEIR RESPECTIVE WARRANTS IN FAVOR OF GEORGE H. MCMASTER FOR THE PAYMENT OF CERTAIN TAXES OVERPAID BY HIM.

Sec. 1.—To be repaid \$22.68 by the State Treasurer.

Sec. 2.—To be repaid \$11.34 by the County Treasurer.

To be repaid
\$22.68 by the
State Treas-
urer.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller General is hereby authorized and required to issue his warrant on the State Treasurer in favor of George H. McMaster for twenty-two dollars and sixty-eight cents, (\$22.68,) being the amount of State taxes overpaid by him for the fiscal year 1876-77, and the State Treasurer is hereby authorized to pay the same out of any moneys in the Treasury.

To be repaid
\$11.34 by the
County Treas-
urer.

SEC. 2. That the County Commissioners of Fairfield County are hereby authorized and required to issue their warrant on the Treasurer of said County in favor of George H. McMaster for eleven dollars and thirty-four (\$11.34) cents, being the amount of taxes overpaid by him for the fiscal year 1876-77, and the County Treasurer is hereby authorized to pay same out of any moneys in the Treasury of said County.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 23d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

**A JOINT RESOLUTION APPOINTING CERTAIN PERSONS
COMMISSIONERS OF NEWTOWN CUT, AND VESTING IN THEM
THE PROPERTY, RIGHTS AND POWERS OF FORMER COMMISSIONERS OF SAID HIGHWAY.**

A. D. 1885.

No. 11.

Commissioners. Title, rights and powers. Vacancies.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That John B. Walpole, Edward B. Bryan and Francis Y. Legare, Sr., be, and they are hereby, appointed Commissioners of Newtown Cut, a highway connecting the waters of Ashley River and Stono River, and that said Commissioners and their successors in office be, and they are hereby, vested with the title to all the property and funds which were held by or belonged to the former Commissioners, together with every right of action necessary to recover and protect the same; and also all the rights, powers and privileges which were of or belonged to the former Commissioners of Newtown Cut, by force of any law, statute, usage or custom. That in case of a vacancy in the office of any of said Commissioners, caused by death, resignation, inability to act, removal from the State, or otherwise, the remaining Commissioners of Newtown Cut shall have power to fill such vacancy by a vote of two-thirds of the Commissioners so remaining in office.

Commissioners.

Grant of title, rights and powers.

Vacancies.

In the Senate House, the twenty-third day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 23d, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.

No. 12.

A JOINT RESOLUTION TO AUTHORIZE AND DIRECT THE COMPTROLLER GENERAL TO REFUND TO E. W. MELLICHAMP, ATTORNEY FOR MRS. S. C. SCHROEDER, THIRTY-FOUR DOLLARS FOR TAXES OVERPAID.

Amount to be paid out of the State Treasury.

Overpaid
taxes, \$34, to
be refunded.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the Comptroller General be, and he is hereby, authorized and directed to refund to E. W. Mellichamp, attorney for Mrs. S. C. Schroeder, thirty-four dollars, the said amount having been paid by her in excess of the amount properly assessed against her as taxes for the fiscal year 1883-4; the same to be paid out of any moneys in the Treasury.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. G. SHEPPARD,
President of the Senate,
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

No. 13. A JOINT RESOLUTION TO AUTHORIZE THE SCHOOL TRUSTEES OF SCHOOL DISTRICT NUMBER TWELVE (12), HAMPTON COUNTY, TO ISSUE A PAY CERTIFICATE FOR FORTY-FIVE DOLLARS TO MRS. M. P. McAVOY OUT OF THE FUNDS OF THE FISCAL YEAR ENDING OCTOBER 31ST, 1885.

Payment directed of amount due and unpaid.

Payment
directed.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the School Trustees of School District Number Twelve, Hampton County, be, and are hereby, authorized and required to issue a pay cer-

tificate for forty-five (45) dollars to Mrs. M. P. McAvoy out of the funds of the fiscal year ending October thirty-first (31st,) 1885, the same being due to her and unpaid. A. D. 1885.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A JOINT RESOLUTION TO AUTHORIZE THE COUNTY COMMISSIONERS OF PICKENS COUNTY TO PAY TO S. D. STEWART THE SUM OF THIRTY DOLLARS.* No. 14.

To receive additional pay for services as Trial Justice.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Pickens County be, and they are hereby, authorized and directed to draw their warrant on the County Treasurer of said County in favor of S. D. Stewart for the sum of thirty dollars, as additional compensation for his services as Trial Justice in the Township of Liberty, in said County. Additional
pay as Trial
Justice.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

*See post Joint Resolution No. 22.—EDITOR.

A. D. 1885.

No. 15.

A JOINT RESOLUTION TO REQUIRE THE SCHOOL COMMISSIONER FOR MARION COUNTY TO BASE HIS NEXT APPORTIONMENT OF SCHOOL FUNDS FOR SCHOOL DISTRICT NO. 10 UPON THE AVERAGE ATTENDANCE DURING THE SCHOOL YEAR 1883 AND 1884.

Apportionment of school fund in District No. 10.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the School Commissioner of Marion County is hereby required to base his next apportionment of the school fund so far as School District No. 10 in said County is concerned upon the average attendance upon the public schools in said School District during the school year 1883-4.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

No. 16. A JOINT RESOLUTION TO AUTHORIZE THE PAYMENT OF SEVENTY DOLLARS TO M. C. CONNOR OUT OF THE SCHOOL FUNDS OF THE FISCAL YEAR ENDING OCTOBER 31ST, 1886.

School certificate to be issued to M. C. Connor, of Colleton.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the School Trustees of School District Number Three, Colleton County, be, and are hereby, authorized and required to issue a pay certificate for seventy dollars to M. C. Connor out of the school funds of the said School District for the fiscal year ending October thirty-first (31st), 1886, the same being due to him and unpaid.

Certificate to
be issued to M.
C. Connor of
Colleton.

And that the County School Commissioner of Colleton County be, and he is hereby, authorized and required to approve the same.

A. D. 1885.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A JOINT RESOLUTION TO AUTHORIZE AND REQUIRE THE No. 17.
PAYMENT OF THE VALUE OF ARTIFICIAL LIMBS TO ANDREW
GOODWIN, MASTON ELMORE AND W. A. B. NEWSUN.

SEC. 1.—Amounts to be paid certain disabled Confederate soldiers.
SEC. 2.—Appropriation of money to pay them.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Treasurer pay to Andrew Goodwin the sum of seventy-five dollars, and to Maston Elmore and W. A. B. Newson, each, the sum of one hundred dollars, upon the warrants of the Comptroller General, said parties having been permanently disabled whilst soldiers in the service of the Confederate States from South Carolina.

Andrew Goodwin to be paid \$75.

Maston Elmore and W. A. B. Newson, each to be paid \$100.

SEC. 2. That the sum of two hundred and seventy-five dollars is hereby appropriated for the purpose mentioned, out of the moneys appropriated under an Act entitled "An Act to provide artificial limbs for all soldiers of this State who lost their legs or arms, or who have been permanently disabled in their legs or arms, during military service in the years 1861, 1862, 1863, 1864 and 1865, and who have not been supplied under the provisions

Appropriation of \$275.

A. D. 1885.

of former Acts of the General Assembly," approved December 17th, 1881; or, if said source prove insufficient, then out of any money in the Treasury not otherwise specifically appropriated.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 24th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

No. 18. A JOINT RESOLUTION TO AMEND A JOINT RESOLUTION ENTITLED "A JOINT RESOLUTION AUTHORIZING THE STATE TREASURER TO ISSUE TO ALEXANDER H. CHISOLM CERTAIN BONDS OF THE STATE IN LIEU OF OTHERS WHICH HAVE BEEN DESTROYED," APPROVED MARCH 18TH, 1878.

Amendment, striking out first proviso.

J. R. 1878,
16 Stat. 661,
amended by
striking out a
proviso.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That a Joint Resolution entitled a Joint Resolution authorizing the State Treasurer to issue to Alexander H. Chisolm certain bonds of the State in lieu of others which have been destroyed, approved March 18th, 1878, be, and the same is hereby, amended by striking out the first proviso thereof.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A JOINT RESOLUTION TO AUTHORIZE THE SCHOOL COMMISSIONER OF PICKENS COUNTY TO DRAW HIS WARRANT UPON THE COUNTY TREASURER OF SAID COUNTY IN PAYMENT OF A SCHOOL CERTIFICATE HELD BY MISS ESTELLA GAINES.

A. D. 1885.

No. 19.

To be paid fifty dollars for school claim.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the School Commissioner of Pickens County be authorized to draw his warrant upon the Treasurer of Pickens County in payment of a school certificate held by Miss Estella Gaines, for a school taught by her during the months of April and May, 1885, in Central School District, Pickens County, South Carolina, which said warrant shall direct the payment of the sum of fifty dollars, the amount due the said Estella Gaines.

To be paid \$50
for school
claim.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT BY THE STATE OF CERTAIN ABATEMENTS ALLOWED BY THE COMPTROLLER GENERAL TO CERTAIN TAXPAYERS OF DARLINGTON COUNTY.

No. 20.

Abatements amounting to \$25.11 to be paid.

Whereas, Certain abatements were allowed by the Comptroller General to certain taxpayers of Darlington County for the fiscal year 1883-4, and before said taxpayers called upon the County Treasurer of said County for the amounts so allowed them respectively he had turned over the same to the Treasurer of the State, leaving no funds in his hands to pay the same; therefore,

Preamble.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General

A. D. 1885.
 Abatements
 amounting to
 \$25.11 to be
 paid.

Assembly, and by the authority of the same, That the Comptroller General be, and is hereby, authorized and required to draw his warrant upon the State Treasurer in favor of the County Treasurer of Darlington County for the sum of twenty-five dollars and eleven cents (\$25.11), and that the State Treasurer do pay the same out of any funds not otherwise appropriated; that the same be applied by the said County Treasurer to the payment of the said abatements.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
 President of the Senate.
 JAMES SIMONS,
 Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
 Governor.

No. 21. A JOINT RESOLUTION PROPOSING AN AMENDMENT TO
 ARTICLE II OF THE CONSTITUTION OF THE STATE OF SOUTH
 CAROLINA.

Proposed substitute for Article II, §§ 4 and 5, relating to census and apportionment.

Proposed Constitutional
 amendment to
 be submitted.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the following amendment to the Constitution of this State be submitted to the qualified electors of the State at the next general election, and if a majority of the electors qualified to vote for members of the General Assembly voting thereon shall vote in favor of such amendment, and two-thirds of each branch of the next General Assembly shall, after such election and before another, ratify the said amendment, it shall be a part of the

Constitution, to wit : Article II of the Constitution shall be so amended that hereafter, in place of Sections 4 and 5 of said Article, the following shall be substituted and known as Section 4, to wit :

SECTION 4. The House of Representatives shall consist of one hundred and twenty-four members, to be apportioned among the several Counties according to the number of inhabitants contained in each ; an enumeration of the inhabitants for this purpose shall be made in eighteen hundred and ninety-one, and shall be made in the course of every tenth year thereafter in such manner as shall be by law directed : *Provided*, That the General Assembly may at any time in its discretion adopt the immediately preceding United States census as a true and correct enumeration of the inhabitants of the several Counties, and make the apportionment and assignment of Representatives among the several Counties according to said enumeration : *Provided, however*, This amendment shall not prevent the General Assembly from providing for an enumeration and apportionment prior to 1891 in the manner now provided for by law.

That the question of adopting this amendment shall be submitted to the electors as follows : Those in favor of the amendment shall deposit a ballot with the following words printed or written thereon : "Constitutional Amendment, Article II, Sections 4 and 5—Yes." Those opposed to the amendment shall cast a ballot with the following words printed or written thereon : "Article II, Sections 4 and 5—No."

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A. D. 1885.

Section to be substituted for Art. II, §§ 4 and 5.

Proposed substitute.

Apportionment of representatives.

Census in 1891 and every tenth year thereafter.

U. S. Census may be adopted.

Census and apportionment prior to 1891.

Ballots.

A. D. 1885.

No. 22.

A JOINT RESOLUTION TO AUTHORIZE THE COUNTY COMMISSIONERS OF PICKENS COUNTY TO PAY TO S. D. STEWART THE SUM OF THIRTY DOLLARS.*

Sec. 1.—To receive additional pay for his services as Trial Justice.

Additional
pay as Trial
Justice.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Pickens County be, and they are hereby, authorized and directed to draw their warrant on the County Treasurer of said County in favor of S. D. Stewart for the sum of thirty dollars, as additional compensation for his service as Trial Justice in the Township of Liberty, in said County.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

*See ante Joint Resolution No. 14.—EDITOR.

No. 23. A JOINT RESOLUTION TO AUTHORIZE THE PAYMENT OF CERTAIN PAST DUE SCHOOL CLAIMS IN CERTAIN TOWNSHIPS IN SPARTANBURG COUNTY.

Certain unpaid school certificates to be paid.

Certain school
claims in cer-
tain Town-
ships of Spar-
tanburg to be
paid.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the proper officers having the control and disbursement of the school fund appropriated or to be appropriated to public school purposes in Beach Springs Township, School District No. 1, Fair Forest Township, School District No. 8, and Pacolet School District, in Spartanburg County, be, and they are hereby,

respectively, authorized and empowered to pay from such school fund the teachers' pay certificates ascertained to be justly due and remaining unpaid for the years 1883 and 1884.

A. D. 1885.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A JOINT RESOLUTION TO PROVIDE FOR THE PAYMENT OF No. 24.
CERTAIN PAST DUE SCHOOL CLAIMS IN MARLBORO COUNTY.

Payment of claims of Mrs. Green, W. A. Bunch, N. D. Malloy and H. C. Newton.

Whereas Miss Rebecca Kilgo, now Mrs. Rebecca Green, Henry C. Newton, Wm. A. Bunch and N. D. Malloy, severally, taught in the free schools of Marlboro County for the space of one month, each being employed by the Clerk of the Board of Trustees for Adamsville School District; *and whereas* the said Trustees erroneously used the funds applicable to the payment of the pay certificates of said teachers for the time aforesaid in building a school house, thereby defeating the issuing, approval and payment of the pay certificates of the said Miss Rebecca Kilgo, now Mrs. Rebecca Green, Wm. A. Bunch and N. D. Malloy, and the approval and payment of the pay certificate of said Henry C. Newton:

Preamble.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the present Board of Trustees of Adamsville Township, in Marlboro County, be, and they hereby are, authorized and required to issue to Miss Rebecca Kilgo, now Mrs. Rebecca Green, a teacher's pay certificate for \$30, and to Wm. A. Bunch and N. D. Malloy each a pay

Certificates to
be issued to
Mrs. Green,
W. A. Bunch
and N. D. Mal-
loy.

A. D. 1885. certificate for \$25. And the School Commissioner of Marlboro County is hereby authorized and required to approve said certificates, and also a certificate for \$30 heretofore issued to said Henry C. Newton for said services, and order the same paid. And the County Treasurer of said County is hereby authorized and required to pay said certificates out of the school funds belonging to said Adamsville School District.

These certificates and also one of H. C. Newton, to be approved.

And paid.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

No. 25. A JOINT RESOLUTION TO AUTHORIZE THE EMPLOYMENT OF AN ENGINEER TO REPORT A PLAN FOR THE IMPROVEMENT OF THE DRAINAGE IN THE VICINITY OF THE LUNATIC ASYLUM.

SEC. 1.—Engineer to be employed and to report.

SEC. 2.—Report to be submitted to General Assembly. Expense.

Preamble. *Whereas* the State Board of Health has reported to the General Assembly that the natural drainage of the land in the North-eastern portion of the City of Columbia, in the vicinity of the Lunatic Asylum, causes the sewerage of the Asylum and that part of the City of Columbia to empty into the Congaree River above the City of Columbia, thereby causing the pollution of the water supply of the said city, and recommend the employment of an engineer to ascertain and report how the evil may be remedied; therefore,

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the State Board of Health of the State of South Carolina be, and is hereby, authorized and empowered, if they find it necessary, to procure the services of a civil engineer, who shall

Board of Health to employ engineer.

examine into the sewerage aforesaid and the natural drainage of land in and contiguous to the City of Columbia, and report to the said Board on the practicability of establishing such drainage as will discharge such sewerage into the Congaree at some point below the City Water Works of Columbia.

A. D. 1885.

Report to be made.

SEC. 2. That the said Board shall, at the next convening of the General Assembly, present to the same the report of the civil engineer, together with his views on the practicability and expediency and probable cost of a change of the sewerage aforesaid: *Provided, however,* The cost of such survey do not exceed the sum of one hundred and fifty (\$150.00) dollars, and that the same be paid by the State Board of Health.

Report to be presented to General Assembly.

Cost.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.

JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A JOINT RESOLUTION TO PROVIDE FOR THE REPAYMENT TO FRANCES C. McCAY, A. W. McCAY AND T. A. McCAY OF CERTAIN SUMS PAID BY THEM FOR PENALTIES FOR FAILURE TO RETURN THEIR PERSONAL PROPERTY FOR TAXATION. No. 26.

SEC. 1.—Warrants to be issued in favor of T. A. McCay.

SEC. 2.—Payment of the warrants directed.

Whereas Frances C. McCay, A. W. McCay and T. A. McCay were charged, and have paid, taxes upon a penalty of fifty per cent. on the assessed value of the personal property owned by them in Berkeley County for failure to return said personal property for taxation within the time required by law; *and whereas* such failure to return said personal property occurred through no neglect or inattention on their part, but through the absence from the County of their agent:

Preamble.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting

A. D. 1885.
 Warrant to
 be issued in
 favor of T. A.
 McCay.

in General Assembly, and by the authority of the same, That the Comptroller General is hereby authorized and required to issue his warrant upon the State Treasurer in favor of T. A. McCay for nineteen and 14-100 dollars, amount of State tax paid by the above named parties upon the penalty imposed by the County Auditor; and that the County Commissioners of Berkeley County are hereby authorized and required to issue their warrant upon the County Treasurer in favor of T. A. McCay for twenty-six 97-100 dollars, being the amount of County tax paid by said parties upon said penalty.

Payment
 directed.

SEC. 2. That the State Treasurer and the County Treasurer of Berkeley County do pay the said sums out of any funds in the State and County treasuries respectively not otherwise specifically appropriated.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
 President of the Senate.
 JAMES SIMONS,
 Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
 Governor.

No. 27. A JOINT RESOLUTION TO AUTHORIZE THE COUNTY COMMISSIONERS OF KERSHAW COUNTY TO APPLY CERTAIN FUNDS IN THEIR HANDS TO GENERAL COUNTY PURPOSES, AND TO VALIDATE THE ACTS OF THE SAID COMMISSIONERS IN APPLYING A PORTION OF THE SAID FUNDS TO THE PAYMENT OF CERTAIN COUNTY OBLIGATIONS KNOWN AS THE WATEREE RIVER FREE BRIDGE BONDS.

Appropriation of balances. Validation of payments.

Appropriation
 of balances.

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Kershaw County be, and they are hereby, authorized to apply to general County purposes and expenses all funds remaining in their hands collected under the levies made in different fiscal years to pay the past indebtedness of said

County after the said past indebtedness has been liquidated. And that the acts of the said County Commissioners in heretofore applying a portion of the money collected under the said levies to the payment of certain County obligations known as the Wateree Free Bridge Bonds be, and the same are hereby, declared to be a valid and lawful application of said funds.

A. D. 1885.

Certain payments validated.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,
Governor.

A JOINT RESOLUTION TO AUTHORIZE AND EMPOWER THE COUNTY COMMISSIONERS OF GREENVILLE COUNTY TO BORROW MONEY TO DEFRAY THE CURRENT EXPENSES, PAY THE INTEREST ON THE BONDED DEBT, AND TO PAY SCHOOL TEACHERS' CERTIFICATES OF SAID COUNTY FOR THE FISCAL YEAR COMMENCING NOVEMBER 1ST, 1885, AND TO PLEDGE THE TAXES FOR SAID FISCAL YEAR FOR THE PAYMENT OF THE SAME. No. 28.

SEC. 1.—Borrowing of money for certain purposes.
SEC. 2.—To take effect immediately.

SECTION 1. *Be it resolved* by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the County Commissioners of Greenville County be, and they are hereby, authorized and empowered to borrow money to defray the current expenses, pay the interest on the bonded debt, and to pay school teachers' certificates of said County for the fiscal year commencing November 1st, 1885, not to exceed three-fourths of the amount levied by law for such purposes,

May borrow money for certain purposes.

Limit.

A. D. 1885.

When to take
effect.

and to pledge the taxes of said County levied therefor for the payment of the sum borrowed, with interest.

SEC. 2. That this Joint Resolution shall take effect immediately after its approval.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,

President of the Senate.

JAMES SIMONS,

Speaker House of Representatives.

Approved December 26th, A. D. 1885.

HUGH S. THOMPSON,

Governor.

No. 29. A JOINT RESOLUTION TO AUTHORIZE THE TRUSTEES OF
CENTRAL ACADEMY TO SELL OR TRANSFER THE PROP-
ERTY NOW OWNED BY THEM IN THE TOWN OF CENTRAL,
S. C.

Sale of land by School Trustees authorized.

Whereas, on the 12th day of January, A. D. 1878, a one-acre lot in the Town of Central, S. C., was conveyed to a Board of Trustees and their successors in office, for school purposes, and the said Board of Trustees (now composed of W. H. Hester, H. D. Rowland, T. C. Martin, W. B. Boggs and J. D. Gassaway) desire to transfer the said one acre of land to a new corporation, known as the Central Educational Joint Stock Company, or for its benefit; therefore,

Be it resolved by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That the said W. H. Hester, H. D. Rowland, T. C. Martin, J. D. Gassaway and W. B. Boggs are hereby empowered to sell, alien

Sale by School
Trustees au-
thorised.

and convey the said one acre of land at will for the uses and purposes of said Central Educational Joint Stock Company. A. D. 1885.

In the Senate House, the twenty-fourth day of December, in the year of our Lord one thousand eight hundred and eighty-five.

J. C. SHEPPARD,
President of the Senate.
JAMES SIMONS,
Speaker House of Representatives.

Approved December 26th, A. D. 1885.
HUGH S. THOMPSON,
Governor.

APPENDIX.

[Published under direction of Section 47 of the General Statutes, as amended by an Act entitled "An Act to amend Section 47, Chapter IV, Title I, Part I, of the General Statutes, relating to the Report of the Secretary of State on certificates of charters deposited with him," approved December 24th, 18 Stat., 447.]

CERTIFICATES OF CHARTERS

DEPOSITED WITH THE SECRETARY OF STATE.

THE DOMESTIC FERTILIZING COMPANY.

STATE OF SOUTH CAROLINA, }
RICHLAND COUNTY. }

To the Honorable the Secretary of State:

In obedience to the requirements of the Acts of the General Assembly, I beg leave to report that I have granted a charter of incorporation to the Domestic Fertilizing Company. That the name of said corporation is the Domestic Fertilizing Company. The name of corporators, John R. London, Allen Jones and T. C. Robertson. The date of said charter of incorporation is January 5th, 1885. Its principal place of business is the City of Columbia, South Carolina. Incorporated for the purpose of manufacturing commercial fertilizers and industries connected therewith; and the amount of its capital stock is not less than twenty thousand nor more than one hundred thousand dollars.

All of which is respectfully submitted.

[SEAL OF CLERK.]

E. R. ARTHUR,

Clerk of Circuit Court of Richland County, South Carolina.

Recorded January 13th, 1885, in Charter Book, page 18.

THE NAZARETH BAPTIST CHURCH, OF COLUMBIA, S. C.

STATE OF SOUTH CAROLINA, }
RICHLAND COUNTY. }

To the Honorable the Secretary of State:

In obedience to the requirements of the Acts of the General Assembly, I beg leave to report that I have granted a charter of incorporation to the Nazareth Baptist Church, of Columbia, S. C. That the name of said corporation is The Nazareth Baptist Church of Columbia, S. C. The date of said charter of incorporation is 20th March, 1885. The purposes for which it is incorporated—for the worship of Almighty God. Its principal place of business is Columbia, S. C. The names of the incorporators are H. Mitchell, Green Smith, G. Housal, Henry Taylor, Albert Curshaw, I. W. Simons, J. Williams, W. C. Davis, R. Williams and A. Green; and the amount of its capital stock is not to exceed fifteen hundred dollars.

All of which is respectfully submitted.

[SEAL C. COURT.]

E. R. ARTHUR,

Clerk of Circuit Court for Richland County, S. C.

Filed March 23d, and recorded March 25th, 1885.

THE MASON COTTON GIN CYLINDER COMPANY.

CHARLESTON, S. C., February 27, 1885.

To Hon. JAMES N. LIPSCOMB, Secretary of State, Columbia, S. C.

SIR: I beg leave, in accordance with law, to enclose you herein a copy of the certificate issued to the Mason Cotton Gin Cylinder Company by W. W. Sale, Esq., Clerk of the Court of Common Pleas and General Sessions, for the Courts of Charleston, on the 16th day of October, 1884, the same to be deposited in your office. And I beg leave further to notify you that at a meeting of the corporators of the said company, held on the 21st day of October, 1884, the charter so issued was duly accepted, and the Mason Cotton Gin Cylinder Company was duly organized thereunder.

I am yours, very respectfully,

J. K. BLACKMAN,
Secretary M. C. G. C. Co.

Class No. 3.

STATE OF SOUTH CAROLINA.

A majority of the officers and members of the Mason Cotton Gin Cylinder Company, having filed a petition praying for a charter :

Therefore, know all men by these presents, that B. R. Riordan, J. K. Blackman, James S. Murdoch, F. W. Dawson, Charles T. Mason, Jr., and their associates and successors in office, be, and they are hereby declared to be, a body politic and corporate, under the name and style of the Mason Cotton Gin Cylinder Company, of the County of Charleston, State of South Carolina ; and by their corporate name may sue and be sued, plead and be impleaded, in any Courts of this State ; to have, use and keep a common seal, and the same at will to alter ; to contract and be contracted with, buy, sell, acquire, hold and enjoy, so much real estate as may be necessary for furnishing offices and for carrying on the business of the same, with power to lease, rent or convey the same, subject to such rules and by-laws of the company ; may also adopt such by-laws and regulations as may be deemed proper, the same not repugnant to the laws of the land ; and shall have power to receive any gift, grant, contract, devise or other donation, either by will, subscription or otherwise, of real estate or personal property, and may sell the same, provided the amount received from such sale be reinvested in securities for the benefit of the society.

In witness whereof I have hereunto set my hand and affixed the seal of the Court at Charleston, this sixteenth day of October, in the year of our Lord one thousand eight hundred and eighty-four, and in the one hundred and ninth year of the sovereignty and independence of the United States of America.

W. W. SALE, [L. S.]
Clerk Court Charleston County.

Filed February 28, 1885.

PALMETTO CLUB.

OFFICE OF CLERK OF COURT,
GEORGETOWN COUNTY.

GEORGETOWN, S. C., March 3d, 1885.

Hon. JAMES N. LIPSCOMB, *Secretary of State, Columbia, S. C.*

DEAR SIR: I have the honor to inform you that on the 21st day of February, A. D. 1885, I granted a charter to a social club, to be known by the name of the "Palmetto Club," with its headquarters in the Town of Georgetown, County and State of South Carolina, composed of the following names, viz.: G. E. T. Sparkman, M. D., G. H. Lohn, John I. Hazard, Isaac Butler, Wm. D. Morgan, R. Dozier, Jr., P. E. Twiggs, Leopold Schenk, N. P. Smith, Jos. Schenk, J. C. Singleton, H. L. Smith, Benj. I. Hazard, Jr., L. L. Williams and N. Emanuel, Jr. The capital stock not to exceed in the aggregate the sum of ten thousand dollars (\$10,000).

Respectfully yours,

D. H. SMITH.

Recorded in Charter Book, page 19, March 7, 1885.

THE SOUTHERN COAST AND RIVER NAVIGATION COMPANY.

CHARLESTON, April 30th, 1885.

Hon. JAMES N. LIPSCOMB, *Secretary of State,*

Columbia, South Carolina.

DEAR SIR: I respectfully beg to notify you that the charter granted "The Southern Coast and River Navigation Company" by the General Assembly has been accepted, and a company organized in accordance with the provisions of the Act of incorporation, approved December 23, 1879.

Very respectfully,

WILLIAM P. HOLMES,
Secretary.

Filed May 2, 1885.

Name, Southern Coast and River Navigation Company. Date of charter, December 23d, 1879. The purpose for which it was incorporated, the transportation of passengers, produce and merchandise upon the rivers of the Southern States and along the sea coast of said States. Names of incorporators, W. P. Holmes, George W. Egin, F. D. Phillips, John T. Foster, George Waterhouse, W. E. Bonneau and J. B. W. Phillips. Location, Charleston, S. C. Capital stock, authorized capital, \$500,000; capital paid in, \$30,000.

Respectfully submitted.

WM. P. HOLMES,

Sec'y S. C. and N. R. N. Navigation Co.

CHARLESTON, S. C., May 2d, 1885.

Filed May 2d, 1885.

**PAVILION BAGGAGE AND PASSENGER TRANSFER COMPANY,
OF CHARLESTON, SOUTH CAROLINA.**

OFFICE OF CLERK OF COURT,

CHARLESTON COUNTY,

CHARLESTON, S. C., May 12, 1885.

Certificate, Pavilion Baggage and Passenger Transfer Company, of Charleston, South Carolina. Charter issued April 30, 1885. Purposes, for the purpose of transferring baggage and passengers to and from railroads and vessels arriving in the City of Charleston, and to and from hotels and private houses or elsewhere in the City of Charleston. Names of incorporators, E. T. Gaillard, N. and James McGuire. Location, Charleston, South Carolina. Amount of capital, one thousand dollars, with privilege to increase same to three thousand dollars. Organized, March 30th, 1885.

[SEAL OF OFFICE.]

THEO. G. BOAG,

C. C. P. and G. S.

Filed May 13th, 1885. Recorded in Charter Book, page 21, May 13, 1885.

SOUTH CAROLINA VIENNA BENT WOOD FURNITURE COMPANY.

OFFICE CLERK OF COURT,
CHARLESTON COUNTY,

CHARLESTON, S. C., May 12, 1885.

Certificate, "South Carolina Vienna Bent Wood Furniture Company." Charter issued, May 8th, 1885. Purposes, manufacturing and selling furniture of all and every description and other articles. Names of incorporators, R. G. Chisolm, J. F. Jaworek, J. C. H. Clausen, C. Bart & Co., Otto Tiedeman, and Robert Chisolm. Location, Columbia, S. C. Amount of capital, thirty-five thousand dollars, and not to exceed one hundred and fifty thousand dollars. Organized, April 8th, 1885.

[SEAL OF OFFICE.]

THEO. G. BOAG,
C. C. P. and G. S.

Filed May 13th, 1885. Recorded May 13th, 1885, in Charter Book, page 22.

CHARLESTON TRANSFER COMPANY.

OFFICE OF CLERK OF COURT, CHARLESTON COUNTY,
CHARLESTON, S. C., May 12, 1885.

Certificate, Charleston Transfer Company. Charter issued, May 11, 1885. Purposes, transferring passengers and baggage arriving in or departing the City of Charleston by rail or vessel to and from the place of arrival, to and from the hotels, private houses or elsewhere in the said city. Names of incorporators, E. H. Jackson and M. P. Pickett. Location, Charleston, South Carolina. Amount of capital, ten thousand dollars. Organized, March 31, 1885.

[SEAL OF OFFICE.]

THEO. G. BOAG,
C. C. P. and G. S.

Filed May 13th, 1885, and recorded Charter Book, page 23.

THE ANDERSON TELEPHONE EXCHANGE

AND

THE ANDERSON OIL AND FERTILIZER COMPANY.

Name of corporation, The Anderson Telephone Exchange. Names of corporators, J. L. Mauldin, P. K. McCully, D. S. Maxwell, J. L. McGee and D. Maxwell. Location, Anderson C. H., S. C. Capital stock, five thousand dollars. Date of charter, June 26, A. D. 1885.

Name of corporation, The Anderson Oil and Fertilizer Company. Names of corporators, J. H. Townsend, B. Frank Mauldin, J. A. Buck, D. S. Maxwell, J. G. Cunningham, Dr. W. H. Nardin, W. W. Humphreys, W. S. Ligon and John E. Peoples. Location, Anderson C. H., S. C. Amount of capital stock, ten thousand dollars. Date of charter, twenty-third day of July, 1885.

THE STATE OF SOUTH CAROLINA, }
COUNTY OF ANDERSON. }

I, M. P. Tribble, Clerk of the Court of Common Pleas for Anderson County, in the State aforesaid, do hereby certify that the above report on charters granted by me, as Clerk, is a correct and true copy of the same.

Given under my hand and seal of office, this 10th day of August, 1885.

[SEAL OF CLERK.]

M. P. TRIBBLE,

Clerk Court Common Pleas, Anderson County.

Recorded in Charter Book, page 24, August 15, 1885.

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